



COMMITTEE WORK SESSION DECEMBER 6, 2011

Committee Members Present: Todd Bergstrom
Don Nicolard-Excused
Brenda Hlas
Bill Mowery-Excused
Ken Braman
Mike Zita-Excused
Scott Pelot

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

The Committee Work Session convened on Tuesday, December 6, 2011 at 7:03 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent reflection.

General Topics of Discussion:

PC Res. #27-2011 Zoning Text Amendment

Mr. Braman turned this discussion over to Russ Arters for the details. Mr. Arters stated that an I-1 zoning is ideal as a conditional use and once this use leaves the premises it would start all over meaning the applicant would have to apply to the Planning Commission. Mr. Braman noted that the present daycare is in Doylestown and he did tour the building. Ms. Genet Riggensch, 593 Gates Street, Doylestown, Ohio (the applicant) stated she has twenty-five (25) children in the daycare now. Mr. Pelot questioned the current businesses nearby. Mr. Arters stated the building is set up for various types of businesses to be broken up within. Mr. Pelot asked about proper fencing and Mr. Arters stated this would be addressed at the site plan review level. Mr. Bergstrom asked about stipulating a yearly review and Mr. Arters stated that you could do that. Ms. Riggensch stated she employs ten (10) people currently with the daycare and will expand with the Charter school approval. There is one (1) student from Norton enrolled in the daycare now. Ms. Riggensch stated that it's k-4th grade right now. Mr. Arters stated that currently this building is sitting vacant and this is a win-win situation for both sides.

Mr. Braman stated that it's an existing school, they just want to expand. Mr. Ryland stated that the access from the highway to drop off children is an ideal location and there are no issues from the Administration. Mr. Pelot noted this zoning change would be throughout the entire city in I-1 districts. Mr. Pelot questioned the Old Stone Jail being in such close proximity and Mr. Arters stated this is not a requirement for schools within 1,000 feet. Ms. Riggenschach stated she is experienced with running schools and daycare and they already abide with the Ohio laws and have regular state inspections at least twice a year. It would be the same and maybe even more with charter schools. All inspections are posted on the State of Ohio website and at their facility in the office lobby. Mr. Braman noted if this zoning is approved no adult business would be permitted here. Ms. Riggenschach stated she has been in business with charter schools for five (5) years and daycare for twelve (12) years and both are open to the public for enrollment from anywhere. Mr. Richard Easterling, 2996 Givens Drive, Norton, Ohio, commented with his concerns on this zoning. Mr. Easterling stated that this may be a well-run school, his concerns are that it's in an industrial area. Mr. Easterling stated he was concerned with the chemicals at the rubber factory next door and the potential with fires. Mr. Easterling stated this building is not serviced with city sewers or city water, and questioned if the building can handle that. Mr. Easterling stated his main concern was that he wanted to see that the children are safe. Mr. Pelot stated the concerns with the rubber company are well stated and asked Mr. Moss if he had more information to offer. Mr. Moss explained they do not actually mix chemicals there, they have raw compounds. Mr. Ryland also noted that no heat is involved in their process. Mr. Arters corrected Mr. Easterling on the statement on having no sewer, they do have it at this location, its water that they don't have. Mr. Arters stated that with the sexually oriented businesses regulations there so tight that there is no way a new liquor establishment could go within three (3) miles of this facility. Mr. Arters stated that the Norton City Schools are currently zoned B2 and B3. Mr. Arters stated he spoke with the owner of rubber company-Starpoint Extrusions, and he has no issues with this coming in next door. Ms. Gayle Brenner, 4041 Harper Avenue, Norton, Ohio, stated this was a good idea, and it's an easy access for everyone. Ms. Brenner stated that State would be doing the checking and they would determine if it were an issue with the other businesses affecting the school or not. Mr. Braman moved to add this to Councils next agenda for a first reading, seconded by Mr. Bergstrom. Mr. Braman stated that a public hearing would occur at the second reading on January 9, 2012 and the third reading and vote on January 23, 2012.

Roll Call: Yeas: Braman, Bergstrom, Hlas, Pelot.
Nays: None

Motion passed 4-0.

2012 Legal Defenders Agreement-Indigent Clients

Mrs. Hlas stated this is something we need to renew each year and there is no change in the fee for this year. Mrs. Hlas moved to add this to Councils next agenda waiving the second and third readings with emergency language, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Braman, Pelot
Nays: None

Motion passed 4-0.

Revise Council Rules 108-Special Meetings

Mr. Pelot stated that the recent Charter change reflecting a 24-hour notice and our current Council Rules state it's a 12-hour notice. Mr. Pelot stated he felt it was not necessary to even have this stated in the Council Rules and recommended removing that reference all together. Mr. Pelot suggested we revisit this issue at the first of the year when we will have all Council members present.

2012 Budget

Mrs. Hlas turned this discussion over to Mr. Moss for the details. Mr. Moss gave a quick overview of the worksheets, noting the Fire and EMS departments were already discussed. Mr. Pelot questioned the health care cost of \$18,000.00 and Mr. Moss stated it is correct and that it is \$1500.00 a month for a family plan. Mr. Moss noted that this year we had a 15.46 percent increase in the health care premiums. Mr. Bergstrom asked what is an ideal carry over balance and Mr. Moss replied thirty (30) percent or three (3) months. We have worked with less in the past but that is not healthy. When we go out for credit review this is a concern. Mr. Bergstrom questioned the part time for parks and Mr. Moss explained that it is more than last year because we had a harder winter this year and that Council had concerns with the actual figures from 2010. Mr. Moss explained that all of the estimated increases such as PERS, workers comp and health care are calculated into this budget. There was discussion about adjusting the employee pick up amounts for health care and Mr. Ryland stated it is at ten (10) percent until the union contracts are negotiated next year. Mr. Bergstrom asked about the total amount the city pays out for health care annually and Mr. Moss stated he would need to get back to him with that figure. Mr. Bergstrom asked about the \$98,000.00 increase in the Police Dept. and Mr. Moss stated that court time is way up and over time has some increases in addition to dispatch benefits going up. Mr. Moss also noted that we did replace one police cruiser this year. Mrs. Hlas stated that the over time in the Police Dept. has decreased in 2007, 2008, 2009 and 2010 and that Chief Hete has been working very hard on keeping that down. Mr. Moss noted that we do have an increase in revenue with the vehicle towing fees which we added a \$50.00 administrative fee. Mr. Braman asked about the Records Commission Secretary's request for \$2,000.00 for equipment and Mr. Moss stated it's in there and we have already purchased a computer. We did include the money out of Fire and EMS for next year for that expense, so there is a new line item for this. Mrs. Hlas asked about the Brentwood Water account of \$32,000.00 and Mr. Moss stated that we need to keep that in case we need to abandon the wells or seal them. Mrs. Hlas asked about the 2012 Road Program Fund #170 and the amount of \$359,000.00. Mr. Ryland stated this is for Collier Road, Eastern Road and Van Hyning bridge work. Mrs. Hlas asked if you could pick the roads for 2012 which ones would they be? Mr. Ryland stated three roads in Brentwood and Gardner Blvd., however all of that is subject to change due to funding and weather in 2012. Mrs. Hlas moved to add the 2012 Budget to Councils next agenda.

Mr. Moss noted that actually we would need to have four (4) pieces of legislation for Monday. One for the 2012 Budget, one for 2011 Budget adjustments, one for the 2012 Alternative Tax Budget, and a new one for 2012 Tax Transfer Fund 128. Mr. Moss explained that due to the increase in the tax credit for the infrastructure he needs to fix the amount and in a recent audit he has been asked to address this. Mr. Moss stated that \$300,324.50 has been audited for 2010 and he would like to fix the amount for 2012 at \$425,000,000. There was discussion about having to move so quickly and Mr. Bergstrom was concerned with such little time to address this. Mr. Ryland agreed with Mr. Bergstrom and that we were so late in getting this to Council and agreed that maybe a special meeting might be necessary just for budget issues. Mrs. Hlas stated that no one seconded her earlier motion to place this on Councils next agenda so that motion failed. Mrs. Hlas stated it would be best to hold a Special Committee Work Session on Monday, December 12, 2011 at 6:00 PM just for the 2012 Budget issue. Mrs. Hlas noted that there is \$100,000.00 sitting in the Time Warner Fund and that \$80,000.00 is available to spend in the parks. Mrs. Hlas stated there was discussion this year about lights for the baseball fields and restrooms and hoped that Council would address these issues next year.

Resolutions of Appreciation-Mayor & Council Members

Mr. Pelot explained that when Council members and Mayors leave office it's been customary for Council to give them a Resolution of Appreciation for their service. Mr. Pelot moved to add a Resolution of Appreciation for Mayor Koontz to Councils next agenda, seconded by Mr. Braman.

Roll Call: Yeas: Pelot, Braman, Bergstrom, Hlas.
Nays: None

Motion passed 4-0.

Mr. Pelot moved to place a Resolution of Appreciation for Mrs. Hlas on Councils next agenda, seconded by Mr. Braman.

Roll Call: Yeas: Pelot, Braman, Bergstrom, Hlas.
Nays: None

Motion passed 4-0.

Mr. Pelot moved to place a Resolution of Appreciation for Mr. Zita on Councils next agenda, seconded by Mr. Braman.

Roll Call: Yeas: Pelot, Braman, Bergstrom, Hlas.
Nays: None

Motion passed 4-0.

Unfinished Business:

None

New Business:

Mr. Ryland asked to have two ordinances addressed on Monday, one for revising the towing ordinances and another to address home meth labs. Mr. Ryland explained that we have had too many meth labs recently and it is costing the city \$1500.00 each time for hazardous clean up fees. With this new legislation these fees will now be billed to either the homeowner or a business. Mr. Ryland asked for these to be placed on the Special Committee of the Whole agenda on Monday and they need to be adopted before the end of the year. Mr. Pelot inquired on the towing legislation if a bid process was required. Mr. Ryland stated that he did discuss this with the law department and there is no requirement for bids because there is no dollar amount involved. Mr. Ryland noted that if we have the luxury of time to address this, Council could have asked for requests for proposals or RFQ's.

Public Comment-Agenda and Non Agenda Items:

Mr. Paul Tousley, 4536 Garrett Drive, Norton, Ohio, stated that he was very frustrated with the levy and media, it puts us all against each other. Mr. Tousley expressed his frustration that the city never had a plan B for this. Mr. Tousley stated that in the last five (5) years his taxes have gone up twice, once for roads and again for the fire station. Mr. Tousley stated the product he received for these increases is poor and he wished he could send it back. The voters are telling you that we have had enough, the cost of the sewers is killing us. Mr. Tousley stated he does not have anything against the circumstances, he has problems with the taxpayer money being mismanaged. Mr. Tousley stated that other communities seem to be able to manage their money and do it better than we do.

Mr. Patrick Bussey, 3302 Cherrywood Drive, Norton, Ohio, gave a brief update on Brentwood Estates roads. Mr. Bussey stated that Driftwood was prepared for new asphalt in 2002 but then there was no money for it and what we ended up getting was tar and chip. We got so much chip that we had to spend money to have it swept twice. Now in 2011 Driftwood got tar and chip and again had to be swept twice which causes more dust on our houses, sound familiar doesn't it? Mr. Bussey stated we all know how our streets should be, and Brentwood does not need more chip.

Mrs. Hlas asked Mr. Ryland to explain what an observation well was. Mr. Ryland stated that some septic systems in Norton are so old there are no inspection ports and the Summit County Health District is requiring these homeowners to install an observation well or inspection port so that their systems can be inspected properly. Mrs. Hlas commented on Mr. Tousley's statements about taxes for the roads and clarified that we have no road levy. Mrs. Hlas also noted that yes, maybe other communities may handle it better but they have more businesses that bring in more revenue. Norton does not have that now and we are working changing that.

Topics for the next Work Session:

2012 Budget, Meth Labs, Towing Ordinance

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:10 PM.

Scott Pelot, President of Council

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

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