



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
SEPTEMBER 12, 2016**

Roll Call	Rick Rodgers	Also Present:
	Dennis McGlone	Mayor Mike Zita-Excused
	Joe Kernan	Valerie Wax Carr
	Dennis Pierson	Ron Messner
	Paul Tousley	Justin Markey
	Scott Pelot	Karla Richards
	Charlotte Whipkey	

The Regular Council Meeting convened on Monday, September 12, 2016 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Charlotte Whipkey, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

**COMMITTEE OF THE WHOLE**

Presentation by Mark Havens, Gardiner Energy Solutions Program.

Mr. Havens gave a brief power point presentation regarding their program and the potential cost savings (*see attached*). Mrs. Carr explained that we have received many complaints regarding the lighting around City hall and within our buildings. Mrs. Carr stated that we have contacted Mr. Havens for an audit of our lighting needs. Mrs. Carr noted that in 2006 there was some interest to convert our Service Garage from all electric to natural gas and some funds were set aside for this purpose. Mrs. Carr discussed House Bill 420 and the fact that there is no risk for having any additional costs for the City. Mr. Havens thanked Council, Mrs. Carr and Mr. Markey for their assistance along the way. Mr. Havens focused on the highlights of the program. Mr. Havens noted he has been doing this for over twenty (20) years. Mr. Havens stated this program has no upfront cost and is a budget neutral because you are already paying for your utilities. The dollars that you save will be making that payment. You have a lease program that does not start for one year after construction is completed. We would be converting all of the T-12 lighting to LED because their wattage is less and their life is 10-15 years with a warranty of ten (10) years that is passed on to you. We will also be converting your traffic signals and not replacing the signals themselves, just replacing the bulbs. There would be converting the Administration building to variable air volume program, with control boxes for each room as opposed to the single control for the building now. For offices like the Mayor's, Mrs. Carr's or Mr. Messner's when not occupied at night will be set back for more energy savings and comfort. We will also convert your service garage from all electric to natural gas. We will need to run a gas line all the way down Dorothy Court and we have already discussed this with Dominion. We are looking at a new HVAC unit at the Community Center which is not the one you just replaced; it's an entirely separate and new unit. Mr. Tousley asked for more details on that. Mr. Haven stated there are three (3) units over there. One was just replaced with grant money; another one will need to be replaced.

Mr. Messner stated the one we did with the grant money was the big one outside of the main ballroom which handled the ballroom and lobby. There is a smaller one outside of the executive board room. The last one is in the attic area of the small room. Mr. Rodgers asked about the demand/supply side in more detail. Mr. Haven stated that the way you are purchasing your natural gas for the city not the residents. Mr. Rodgers asked if we are not in the aggregate program and Mrs. Carr stated that we are currently but we are paying a residential rate although we are more like a commercial account with the amount of usage and Mr. Haven states we can even do better. Mr. Rodgers asked if we can pass these savings along to the residents as well and Mr. Havens replied yes that's potentially possible and he and Mrs. Carr had discussed this on the phone. Mr. Haven stated we have a 24/7 monitoring system so we can see when someone leaves something on. Mr. Tousley stated he has read some newspaper articles relating to the LED traffic light and the potential of freezing up and Mr. Havens stated he has not actually seen this happening but he has heard of this and many times they leave the yellow bulb as an incandescent as it is not used as much as the red and green bulbs that do not burn out as soon. Mr. Haven discussed the riders associated with this new House Bill 420 and Mrs. Carr stated it's like getting a rebate back to the City. We are guaranteeing over \$682,226.00 in energy savings that is in writing to you for the life of the program. Mrs. Carr noted that Mrs. Richards has a draft of the legislation, a copy of the agreement and the financial details from Huntington Bank for discussion this evening and possible action either tonight or the next Council meeting. Ms. Whipkey clarified the actual project is going to cost \$566,000.00. However, we don't pay anything for the first year and at the end of that year we should have saved enough on all of our utilities in order to make that first payment and that goes on for the next nine (9) years. Ms. Whipkey asked what happens if we don't see those savings and Mr. Havens stated we guarantee it and we cut the City a check if that were to happen to cover that debt service. Mr. Pierson asked about the guarantee specifics and Mr. Haven stated this is done on an annual basis each year not at the end of the ten (10) year term, so that you are whole each year. Mr. Pierson asked about any other additional fees and that Mr. Haven had mentioned a monitoring fee and is this in addition? Mr. Havens replied it is in addition of about \$10,000.00 per year and it's covered and built into the cash flow. Mr. Pierson stated so the real prices would be \$576,000.00. Ms. Whipkey clarified that the \$10,000.00 is a yearly fee and Mr. Haven concurred. Mr. Tousley stated so that's \$100,000.00 over the life of the project and Mr. Haven concurred. Mr. Tousley asked about the Administration building HVAC is going to be a whole new unit or just thermostats and such? Mr. Haven replied they will convert the existing unit with air volume variable speed motors, noting that your unit itself is relatively new. Mr. Rodgers noted the equipment life is for twenty-five (25) years and asked if the equipment is to last us longer than ten (10) years what do we do after that? Mr. Havens stated this is a ten (10) year cash flow so in ten (10) years you would be done with our company. Mr. Markey stated the fee is there because they measure to make sure we get the guaranteed savings they say they will deliver, the City has the option to discontinue if we feel we are getting those savings. They would no longer be guarantee savings at that point because it is no longer being measured. Mr. Markey stated once the debt is paid off and the lease is done there is no need to keep measuring those savings because as have paid back what we borrowed. Mr. Rodgers asked about the individual cost of the LED lights, because after the 10 years the City would need to make that investment again and Mr. Havens replied he didn't have this tonight but would see the City gets this information. Mr. Havens reminded everyone that you're not getting new fixtures we are only replacing the bulbs.

Mr. Havens pointed out that they are not making the T-12s are not being made anymore. Ms. Whipkey stated she would like to have the time to review this for the next Council meeting and noted this is a better program than what was presented to the City many years ago. Mr. Havens stated that House Bill 420 for Cities has been around since 1985 and there is a legislative process that is to your benefit through these savings. Ms. Whipkey asked if they wanted to get out of this, if the State would come in and make them follow through. Mr. Havens responded no and Mrs. Carr added it was optional. Mr. Tousley asked about the Community center and if this would remove the City from any future CDBG funding? Mrs. Carr stated last year when looking at the HVAC we attempted to use this program then but because of all of the HUD requirements it was much more complicated. Mrs. Carr stated that if something else were to come up we could still apply for those grants. Mr. Markey stated that this is just a different way to finance the upgrades. Ms. Whipkey expressed concerns with the warranties on any of the work we have done at the Community Center and Mr. Havens stated we would not be messing with any of the installed equipment. Mr. Rodgers concurred with the way this is presented we would be coming away with about \$116,000.00 and with the interest payments it would be about zero. Mr. Havens concurred there is interest and Mr. Markey added we would be getting the cost taken care of with the agreement. Mr. Rodgers suggested we have the cash flow for the public to understand this as well. Mr. Pelot stated this does not change out street lights in the neighborhoods and Mrs. Carr replied that's correct, it's for the lights the City owns like the lights in the City parks. Mr. Havens replied your billing for the street lights is quite expensive and is a flat rate that is not metered with First Energy not planning any change to LED soon. Mr. Pierson asked what other communities in Summit County are you working with; and Mr. Haven replied none in Summit County right now; however he is working with Rocky River, Medina County, The City of Lakewood and Garfield Heights and Bedford. Mr. Pierson asked Mr. Messner if he has contacted any of these cities and Mr. Messner replied no. Mr. Pierson asked how long these communities have been with Mr. Haven's group and Mr. Haven replied in the range of 3-4 years up to ten (10) years, adding that he would supply Mr. Messner follow up with their savings received. There was discussion as to the street lights in the City and Mr. Messner stated we pay \$38,000.00 just for the street lights.

Ms. Whipkey formally acknowledged Council's receipt of the August 2016 Budget reports from Mr. Messner, Director of Finance.

### **COMMUNICATIONS FROM THE PUBLIC-Agenda and Non-Agenda Items**

Mr. William Paluch, 3740 Shellhart Road, Norton, Ohio stated he is still waiting for his seven (7) questions to be responded back to him in writing. Mr. Rodgers stated he had emailed Mr. Markey asking for these to be answered and there has been opposition with some others on Council and Mr. Paluch was advised to research the minutes. Mr. Paluch discussed his most recent request about the police officer's law suit and the cost as being stated was \$200,000.00 and he believes this is not accurate, that it was a lot more, and that there were more legal fees including with Mr. Ryland's payout out. Mr. Markey stated that a public records request has been received and the Administration is working on this. Ms. Whipkey asked if the contract with Mr. Ryland was on that case as she thought it was for the Adair case and Mr. Markey responded he believed it was for the police officer.

## **CONSIDERATION OF MINUTES**

Minutes of the August 15, 2016 Committee Work Session-Approved as submitted.

Minutes of the August 15, 2016 Special Council Meeting-Approved as submitted.

Minutes of the August 22, 2016 Regular Council Meeting Deferred to September 26, 2016

Minutes of the September 6, 2016 Committee Work Session-Deferred to September 26, 2016

Minutes of the September 6, 2016 Special Council Meeting-Deferred to September 26, 2016

## **REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS**

Mrs. Carr discussed her memo regarding the increase of heroine over doses in our community, in addition to information for Summit County (see attached). Ms. Whipkey discussed the cost of \$490.80 that we have already paid out and noted that we are reimbursed by the hospitals as they are used so there is no added cost for the doses used. Mrs. Carr concurred adding that the hospital then bills the patients directly or their insurance company. Mr. Pelot added that did not include the costs for the paramedics and Mrs. Carr stated the transport would be covered by insurance. Mrs. Carr stated we do have some information from the Silver Springs bids and we need to make some decisions tonight in order to draw up some legislation. Mrs. Carr stated the bid tabulations she will be distributing to Council will not have the vendor names associated with these bids. This is being done depending on the application/method you select. The first bid is just to do the public portion of Silver Springs with the low bid being \$277,699.00. The second is the public portion with the fast track to be completed this season for about a \$28,000.00 premium. The third bid is to public and private portions the cost is at \$363,136.93 which is about \$85,000.00 more and the fourth is the public and private with an expedited completion at \$396,162.82. Mrs. Carr explained that if we select to do public and private with the expedited completion it would be with contractor #1. If you want to everything then it would be with contractor #1 (see attached). Mr. Tousley asked if there was a completion date for the expedited project and Mrs. Carr responded there is a date in there. Mr. Pierson asked if there were any penalties if they did not meet the date and Mr. Carr concurred there were. Mrs. Carr stated she did not want to bring any further details until we were looking at strictly the dollar amounts to decide on for the differences in the project without revealing the actual vendors. Mr. Tousley asked what was budgeted this year and Mr. Messner replied \$350,000.00. Ms. Whipkey pointed out that the private portion was now \$20,000.00 more than the estimate. Mrs. Carr stated she did not know what Council wanted to do tonight or if we should pursue drafting legislation. Mr. Rodgers stated, as Ms. Whipkey stated, we originally had about \$65,000.00 cost difference and now we are at \$85,000.00 for the un-expedited route and not one on Council or in this room can afford an \$85,000.00 assessment on their property. We have discussed how the private drive collapse occurred over time and the City's use of this private drive over the years and he cannot see that this Council would not absorb the entire cost of this. Mr. Rodgers stated that even if we go with the un-expedited process that would be \$13,000.00 more than was budgeted. Mr. Tousley stated when we visited this property the residents had shown him the damage of how the City's property had overflowed and came around the corner and did take a toll on the damages. Mr. Tousley stated he is in favor of the City helping them with the private portion. Mr. Pelot asked are you saying they should pay a portion and the City should pay a portion of it? Mr. Tousley stated he feels the City should help the residents with the private portion. Mr. Pierson stated we would just absorb the costs, dedicate the road take it under the City's realm and repair correctly and go forward from there. Mr. Rodgers asked if these costs would increase if we wait till spring and Mrs. Carr stated the bid is the bid and they should have calculated those costs.

Mrs. Carr stated she believed it was we hold them to their bid for 60 days and that the only guarantee is if it was with an expedited schedule. Mr. Tousley stated that one of the residents' concerns was if we only fix the public portion and this equipment would have to come on to the private portion anyhow, which could cause damage. Mrs. Carr stated she does not believe any of the equipment would come onto the private areas because if you recall she has already discussed work rights and easements and we have one property owner that has agreed to this which is by the public area and does not cross the bridge. Mr. Rodgers stated that on St. Rt. 224 they are repairing the bridges from both sides and there is no way you can do this project without working from both sides of the project area. Mrs. Carr stated there is actually a temporary road in this area during the construction public portion of the road. Mrs. Carr stated that the potential easements are already built in for this temporary road that would allow the private section access and acquiring some of the property which is a tradeoff. Mrs. Carr stated it was about possible less than \$6,000.00 for all the properties needed not only for the private portion access during the work on the public section but for all the work, but hoped they would donate it. Mr. Rodgers stated that \$85,000.00 is for about fifty (50) feet and this is about \$1,700.00 per foot and is a rather steep price to pay per foot. Mr. Pelot asked for legislation for all 4four (4) possibilities. Mr. Kernan suggested there be motions that come forward to do all four (4) each vote to see which ones move forward. Ms. Whipkey stated this is unprecedented and questioned this process. Mr. Markey stated he was unsure how to answer if that is unprecedented in Norton, but it is always a slippery slope when you start improving the private side with a public improvement. Mrs. Carr stated if you are asking is there another example like this in Norton and we could not find one like this. The closest one was in subdivisions that the developer put in a private road that was built according to our city standards and then it was dedicated and turned over to the City. Ms. Whipkey stated her concern is that we have twelve (12) other streets that are private we may to have to deal with. Mr. Markey reminded everyone that Council has a choice whether or not to accept a dedication or not. Mr. Pierson suggested we wait for these residents to be here next week for their comments since this is something he believed they would be paying for this. Mrs. Carr clarified that last week it was asked as to the status which she had indicated the bids would be opened that week and she would bring those results to Council on Monday. Mr. Pelot suggested that we will hold over to next week for more comments and information and no legislation drawn up at this point. Mr. Rodgers asked for all four (4) options to be drawn up now and ready for next week and move it out of the Work Session? Mr. Pelot stated this could be a waste of time and the deciding factor is the dollar amount and most likely will end up with only one (1) piece of legislation. Mr. Rodgers stated that out of the Work Session the vote would only come out of that Committee and Mr. Pelot stated if we don't do something on it then it would be another two (2) weeks before a first reading, and suggested we waive the readings to get this moving.

## **PUBLIC HEARINGS-None**

## **INTRODUCTION OF NEW LEGISLATION**

### **ORD #69-2016**

Mr. McGlone offered Ord. #69-2016 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND SECTION 618.05 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO; AND DECLARING AN EMERGENCY.

Mr. McGlone stated this is for the animal cruelty law recently passed by the State. Ms. Whipkey stated this is really following State law, so is there a reason to wait to which Mr. McGlone concurred. Mr. McGlone moved to waive the second and third readings, seconded by Mr. Rodgers.

Roll Call: Yes: McGlone, Rodgers, Kernan, Pierson, Tousley, Pelot, Whipkey  
No: None

Motion passed 7-0.

Mr. McGlone moved to adopt Ord. #69-2016, seconded by Mr. Rodgers.

Roll Call: Yes: McGlone, Rodgers, Kernan, Pierson, Tousley, Pelot, Whipkey  
No:

Motion passed 7-0

**ORD #71-2016**

Mr. Pelot offered Ord. #71-2016 for its first reading and asked the Clerk to read it:

AN ORDINANCE APPROVING AMENDMENTS TO THE PLANS FOR THE NASH HEIGHTS GRAVITY SANITARY SEWER SYSTEM IMPROVEMENTS PUMP STATION PHASE II, AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER AN AGREEMENT WITH BARBERTON FOR THE TRANSFER OF THE RESPONSIBILITY OF CONSTRUCTING THE NASH HEIGHTS GRAVITY SANITARY SEWER SYSTEM IMPROVEMENTS, AND DECLARING AN EMERGENCY.

First reading only.

**ORD #72-2016**

Ms. Whipkey offered Ord. #72-2016 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THEN AND NOW CERTIFICATES PURSUANT TO SECTION 5705.41(D) OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

Ms. Whipkey stated this gives us the ability to take care of and track financial activity and meets with the Auditor's requirements. Ms. Whipkey moved to waive the second and third readings, seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Rodgers, McGlone, Kernan, Pierson, Tousley  
No: None

Motion passed 7-0.

Ms. Whipkey moved to adopt Ord. #72-2016, seconded by Mr. Pelot.

Roll Call:     Yes:   Whipkey, Pelot, Rodgers, McGlone, Kernan, Pierson, Tousley  
                  No:     None

Motion passed 7-0.

**ORD #73-2016**

Mr. Pierson offered Ord. #73-2016 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PAYMENT OF RENTAL PAYMENTS TO COLUMBUS EQUIPMENT COMPANY FOR USE OF A MCCLOSKEY TROMMEL, AND DECLARING AN EMERGENCY.

Mr. Pierson moved to waive the second and third readings, seconded by Ms. Whipkey. Mr. Pierson stated that we owe the debt and we need to pay this as soon as possible.

Roll Call:     Yes:   Pierson, Whipkey, Rodgers, McGlone, Kernan, Tousley, Pelot  
                  No:     None

Motion passed 7-0.

Mr. Pierson moved to adopt Ord. #73-2016, seconded by Ms. Whipkey.

Roll Call:     Yes:   Pierson, Whipkey, Rodgers, McGlone, Kernan, Tousley, Pelot  
                  No:     None

Motion passed 7-0.

**INTRODUCTION OF PRIOR LEGISLATION-None**

**UNFINISHED BUSINESS**

Mr. Pierson discussed Mr. Kernan's comments last week that he was picking on Council that they did not know what Council is doing in relation to Ord #51-2016 and handed out some information to Council. Mr. Pierson stated that with Ord #51-2016 on page #6 they gave up our rights and would allow Barberton to sewer where they please and page #8 it clearly spells out the fact that Barberton will assess the package plants so don't think that's not going to happen.

Mr. Pierson asked Mrs. Carr about the InSite Development report received in Councils mailbox and questioned how much we pay them monthly. Mrs. Carr replied yes we pay them monthly and they do provide the city with a monthly report. Mr. Pierson had issues with the report and information in it. Mrs. Carr explained when we hired them you all were told there would be some basic information that is not public due to the nature of their business. Mr. Pierson stated this is as vague as it can be.

Mr. Pierson wants to see a report that they have met certain thresholds; like what is it going to take to get it done in 90 days, and what it's going to take to get it done, etc. If they don't perform then they should not be getting paid. He wants to see what we are getting for our dollars. Mrs. Carr stated it's not just recruiting new businesses and they are doing business retention plan for us and they go out to the larger business and see where we can help them to stay here. There was one company that was considering moving and since contact with InSite they have changed their mind. Mr. Pierson stated he wants to see more detailed reports without revealing their secrets. Mrs. Carr cited the example with the new KDA business that came to Norton recently and we had to be very careful with the details so that another City would not try and secure that. Mr. Tousley noted a new doctor's office has moved into his ward, and if InSite had something to do with this that could be what Mrs. Carr was referring to. Mrs. Carr replied absolutely it could, however she does not believe InSite had anything to do with this doctor's office moving there.

Mr. Rodgers discussed the Nash Heights bid and it was under the Engineers estimate and asked what the number is. Mrs. Carr stated this was already provided to Council, she provided the bid tabulations, the dollar amounts, etc. The official low bid which is not awarded yet was at \$6,890,000.00 and includes the pump station and the additional cost of \$288,000.00. Mr. Rodgers asked if we have submitted for the loans now and Mrs. Carr replied we are in the process of submitting all of that, and it would be handed over to Barberton to address if the pending legislation passes. Mr. Rodgers stated right now it is us borrowing the money. Mrs. Carr responded it would not be us borrowing the money, it would be Barberton. Mrs. Carr noted the money would be awarded in October and one reason we held the bid prices for one hundred and twenty (120) days. Mrs. Carr stated that we have to make sure the money is secured before we can legally award the bid, which occurs in October. Mr. Rodgers stated in light of what Mr. Pierson handed out earlier and in light of the right of Council to act, he was not sure this legislation would pass. Mr. Rodgers stated his question is and what he is concerned about is if the loans we are looking at are we borrowing the \$6,890,000.00 amount or more? Mr. Markey stated if the legislation passes, Barberton would borrow the bid amount. Norton would borrow the same bid amount if we were doing the project. Mr. Rodgers stated this is less than \$7,000,000.00 right now and this Council based the assessment proceedings on the Engineers estimates of \$7,900,000.00 and not to include the pump stations. Mrs. Carr stated the pump stations are part of the overall bid and the revenues to pay for this are not included in the assessment. Mr. Rodgers stated the pump stations were estimated at \$500,000.00 so the cost to the people is really on \$6,390,000.00 and that Council agreed to the assessment process which we approved for \$11,200.00 on the Engineers estimate of \$7,900,000.00. Mr. Markey stated that the assessments that Council approved never included the pump stations. Mr. Rodgers stated this savings should be passed on the people and would Council agree with this? Ms. Whipkey stated she already has discussed this with the Administration and was looking at several options; she would not be against passing some of the savings on to the residents. The Assessments can be changed, they cannot go higher but they can come down. Mr. Rodgers stated he was glad Ms. Whipkey had approached the Administration on it, but would like to know where the rest of Council was on this. Mr. Rodgers moved this to the next work session, there was no second to his motion. Mr. Pierson asked Mr. Messner where we are on the broadcasting issues? Mr. Messner stated he had one contact in the City of Green with a quote today, and they are way out of our league. Mr. Messner stated Green has invested about \$150,000.00 and they are way beyond us with their overall set up.

Mr. Messner indicated he is waiting to hear back from two more. Mrs. Richards pointed out that Green also shares the system with the school. Mr. Messner stated there is one more group out of Cleveland but he understands they are very expensive. Mr. Pierson stated then the \$9,000.00 does not seem out of line for what we want to do. Mr. Messner stated that he has also discussed with Mr. Tenney about facing the front of the metal desks with wood grain to match the rest of the room and that should be minimal. Mr. Messner suggested a microphone for any guest speakers and Mr. Messner replied we could have used the one at the podium as it is wireless. There was discussion on the replacement of the microphones and Mr. Messner stated it's all about the direction. Mr. Rodgers noted the podium can be moved around and made available to be presented for speaking. Ms. Whipkey stated that she believed it takes all of Council to make these decisions. Mr. Pierson stated he believed that belonged to Personnel and Ms. Whipkey disagreed. Mr. Pierson stated the point is for people to view it and there were 100 people who tried to sign on and see it. Mrs. Carr corrected that statement as the 100 was referring to total people that went to see the posted meeting and not watching live. Mr. Rodgers stated he had two (2) residents that could not hear last week's meeting. Mr. Kernan stated if we don't hear from others in the next few days we need to move on this and let's get this done. Mr. Pelot asked if a voice vote is necessary and Mr. Markey noted you need to amend your budget for this expense for next week so you could have a voice vote to add it to the agenda. Mr. Rodgers asked for legislation to be prepared for next work session for this company (RPC) to make the improvements. Mr. Messner stated there will be an additional expense as livestream software will not work and the upgrade may be an additional \$2500 and when all said and done we could be looking at \$15-16,000 total, but he cannot get a hold of WOWZA by phone to get his answers. Mr. Messner stated the longer they have to store in the cloud our sessions, the more expensive this is going to be. Mr. Pelot noted that terra bite hard drives would store tons of meetings and Mrs. Richards noted Council already owns an external terra bite hard drive so we can do this ourselves and save these costs. Mr. Messner noted that there have been some on Council that would like to store them for one year. Mr. Rodgers stated he thought Mr. Ring stated the storage is no issue and asked Mr. Messner to check into this. Ms. Whipkey asked if its \$9,000.00 to put the system in and \$5,000.00 to stream it and Mr. Messner concurred and added that WOWZA billed monthly as opposed to Livestream wanting it yearly. WOWZA has four plans with the most expensive up to \$15,000/year.

Mr. Pierson asked Mr. Messner about the parking lot sealing and the status. Mr. Messner stated he briefly discussed this with the Service Dept. and they felt this lot was done over eight (8) years ago, is not repairable, and we would need to redo the whole thing again. Mr. Messner stated that he would like to bring in a professional engineer to take a look at this.

Mr. Pelot discussed the handouts from Mr. Pierson on the Barberton sewer agreement and the contract with Barberton is for 30 years, when Mr. Pierson's side notes say that this is a 50% surcharge forever for all of Norton which is not correct, which Mrs. Carr concurred.

Mr. Pelot also discussed Mr. Pierson's reference to the Brentwood and Norton Acres package plants and Mrs. Carr stated the additional charge is approximately \$5.00 to those residents to abandon these plants. Mrs. Carr stated one of these package plants is already off line and they have connected to sewer. Mrs. Carr stated she received only one (1) complaint about the \$5.00 fee and that was for the plant on Newpark Drive in the industrial area.

Mrs. Carr also noted they are already working on the next package plant in what she believed was Frashure allotments. Mr. Rodgers stated we need to be concerned with paragraph E especially the referrals for Assessments. Mr. Pelot clarified with Mrs. Carr that Barberton cannot assess any of our residents without our approval. Mr. Rodgers referred to the recovering the cost and Mrs. Carr explained what this means is that if I live on ABC street and 60% of the residents petition for improvements and they fail to pay their assessments then Barberton can collect this by an assessment. Mr. Markey also noted he believed this reference is for any mandated area and Mrs. Carr stated that we hope we never have another situation like Nash Heights. Mrs. Carr stated that this agreement you are all referring to has already been approved and adopted by Council. Mr. Rodgers stated some residents are calling and are concerned with this and although it was passed, it has not taken effect yet. Mrs. Carr stated nothing can be done without Norton Council approval and Mr. Markey added unless it was mandated. Mr. Rodgers responded the problem was another City could come in and collect fees without Norton's approval. Mr. Pelot stated that if it is mandated we have to act. Mr. Markey stated the idea is Norton Council gets to act first and do the assessment proceedings with subsidizing, if we decided to subsidize, and the issue comes when Norton fails to address it in a mandated area, then Barberton addresses this. Ms. Whipkey discussed Section 727.25 of the Ohio Revised Code, and if we did not have this within the contract wouldn't this ability kick in anyway? Mr. Markey stated this could be done to add to the customer's sewer bill and in essence if they do not pay their bill and then they can do assessments onto their property tax bills. Ms. Whipkey stated that all we are doing is acknowledging the fact and Mr. Rodgers argued that is not true you are authorizing this. This law does not allow them to do it and if we don't acknowledge them to do it, they can't do it. Mr. Markey stated they may be allowed; he does not want to answer that one and be incriminated for it by Council three (3) months from now.

**NEW BUSINESS** None

**PUBLIC SERVICE ANNOUNCEMENTS**

There were none.

**PUBLIC UPDATES**

Ms. Whipkey noted that the next Council meeting will be on September 26, 2016.

**ADJOURN**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:45 PM.

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Charlotte Whipkey, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on September 26, 2016.

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Karla Richards, CMC-Clerk of Council

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

**\*\*ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE CLERK OF  
COUNCIL\*\***

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

# Energy Based Performance Solutions for City of Norton



September 12<sup>th</sup>, 2016





# CONTENTS

- Your Challenges
- The Answer – Energy Based Performance Solution (EBPS)
- Program Highlights
- Expected Financials
- Scope of work detail

# Your Challenges: Resources, Equipment, Mandates



## Resource Constraints

- Capital Budget Constraints
- Operating Budget Reductions
- Loss of Local Gov't Fund



## Aging Infrastructure

- Aging Equipment
- Equipment Failures
- Higher Energy and Repair Costs



## Sustainability Goals / Mandates

- Elimination of T12 lighting by the FEDS
- First Energy Demand Response/PLC Program
- Voters' Green Expectations



## **THE ANSWER: Use Current Utility Expenditures to create Revenue Source**



***“Capture the Inefficiencies in your utility and operations Budget to make those needed improvements”***

- Budget Neutral Approach – It’s an expenditure that the city is already making !
- No Upfront dollars
- “Bundled Solution” – Combine long-term/short term paybacks to create the solution
- MUNI Lease with favorable payback terms
- Don’t start repayment until 1 year after construction completed
- Guaranteed Savings Contract

## Program Highlights



- Complete LED lighting Retrofit all Facilities
- Convert all Park Lights to LED
- Convert all Traffic Signals to LED
- Conversion of Administration HVAC to Variable Air Volume
- Convert Service Garage from all electric to Natural Gas Heating
- Install New Heaters at Parks Garage
- Upgraded Demand Side and Supply Side Utility Contracts
- New HVAC unit at Community Center

# Energy Based Performance Solutions Financials

- Project Term – 10 years
- Investment \$566,000
- Energy Savings Pays for project over 10 years
- Energy Savings \$682,116 over life of project Guaranteed
- Debt service Payment to begin 1 Year after construction completed. Banked savings allows for budget neutral approach
- Equipment Life exceeds 25 years
- Includes Operational and Avoided Capital Savings.
- Includes Measurement And Verification (M&V) Reporting Services
- Complete Scope of Work included in Project



THANK YOU



Summit County, Ohio

# SCOPE of WORK DETAIL

# City of Norton Project Energy Conservation Measures (ECM'S)



Select ECM	ECM Name	ECM Number
<b>City Wide - 1</b>		
Yes	LED Traffic Lights	1-1
Yes	LED Park Lights	1-2
Yes	GAS/Electric Rate Conversion	1-3
Yes	Project Design/Development	1-4
<b>Admin Building - 2</b>		
Yes	Convert ADMIN to VVT	2-1
Yes	LED Strip Lights	2-3
<b>Fire Station - 3</b>		
Yes	Energy Focus Lights	3-2
<b>Parks Garage - 4</b>		
Yes	Replace Heaters	4-1
Yes	Energy Focus LED Lights	4-3
<b>Service Garage - 5</b>		
Yes	Facility Gas Conversion	5-2
Yes	Energy Focus LED Lights	5-4
<b>Community Center - 6</b>		
Yes	New Unit	6-2
Yes	Energy Focus LED Lights	6-3



# CITY OF NORTON

## MEMO

**To:** City Council Members

**From:** Chief John Dalessandro and  
Chief Mike Schultz

**Date:** September 12, 2016

**Re:** Heroin Overdoses



---

For years it has been standard protocol of the Fire division to administer Narcan (Nalaxone) for over 25 years for unresponsive patients.

The City of Norton has responded to 51 heroin overdoses from January 1 until today's date (although we have had another OD call today), so we are responding to just over 6 a month. We have administered Narcan 55 times. The cost of a dose of Narcan is \$28.22, however, we do not buy our Narcan. We are on a one for one exchange program with all of the hospitals. When we transport a patient, we restock at the hospital and the hospital bills them for the medication individually or through their insurance.

In 2015, the Summit County ADM Board requested the Summit County Police Chiefs to begin carrying and administrating Narcan. In July of 2015 The Norton Police Department purchased initial doses of Narcan for every officer at a cost of \$490.80. The Police Department is also on a one to one exchange program with the Norton Fire Department. This exchange program allows the police officer to exchange the dispensed dose for a new one and then as stated the hospital bills the patient for the initial dose or doses. With the epidemic of carfentanil in this area we are using multiple doses on single patients, but have not kept track of total number of doses dispensed. We are beginning to do that now.

The heroin problem itself is without a doubt on the rise. Mayor Horrigan organized a meeting on Sept. 7<sup>th</sup> to begin to address the opiate problem more in depth within Akron and the bordering suburbs. Mayor Zita and we Chiefs attended this meeting last week with local, state and federal officials in an attempt to come up with ideas that we as individuals may have missed, but collectively we may stumble onto fresh ideas. Unfortunately, there is no magic cure for this epidemic, it is supply and demand. There are too many people supplying it for law enforcement to catch them all and too many users buying that may never be caught, unless they overdose.

PLEASE, if you have prescription pain medications just sitting in your cupboard, get rid of them! The following information is from the Summit County Opiate Task Force: "According to the Substance Abuse and Mental Health Services Administration (SAMSHA), 4 out of 5 heroin users first began with recreational use of prescription pain relievers. The National Institute on Drug Abuse (NIDA) cites that nearly 50 percent of young people who inject heroin started by abusing Rx drugs."

If you have prescription medications to get rid of, there are a couple of different options:

- 1) Take them to the fire station and put in the DUMP container in the lobby. This container is locked and watched via camera.  
Please follow these guidelines when disposing of prescription and over-the-counter medications:
  - Keep the medicines in the original container.
  - Mark out your name and address.
  - Secure the container.
  - Deposit the medicines in the disposal box.
  
- 2) Acme Fresh Market and the Summit County Community Partnership have partnered to provide free prescription drug disposal bags to the community. These can be picked up at any Acme pharmacy and the pharmacist will explain how to use it.

If you even think you see suspicious activity, please call 9-1-1 and report it. If someone you know is experiencing a problem with addiction, there is help. Please see the links below for information.

<http://www.scphoh.org/commhealth/projdawn.html>

<http://www.summitcountyopiatetaskforce.org>

Unfortunately, the 44203 zip code is not fairing well. Please see the full Summit County Health Department attached. Our zip code comprises of 10.9% of the ODs. Please note, of the 10.9% equaling 138 cases, 51 of these cases were in Norton.

# SUMMIT COUNTY PUBLIC HEALTH

## Population Health Vital Statistics Brief:

### VOLUME 3: DRUG OVERDOSES, Jan 1 - August 31, 2016

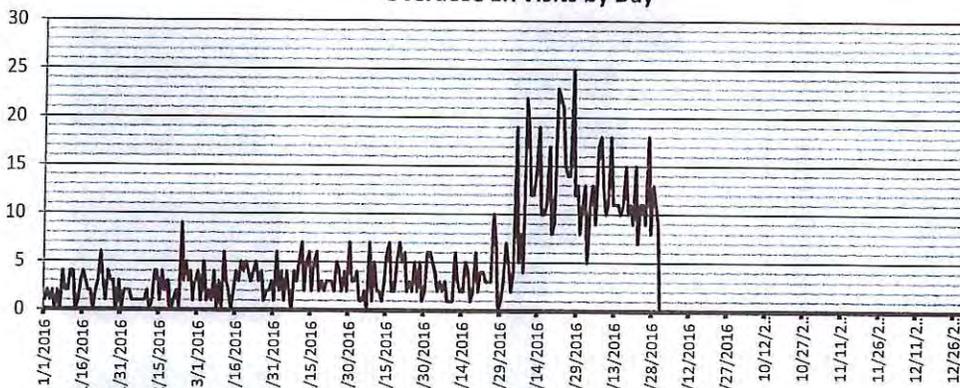


Summit County Public Health • Population Health Division  
1867 W. Market St., Akron, Ohio 44313 • (330) 923-4891  
[www.scphoh.org](http://www.scphoh.org)

## Drug Overdose Visits to Hospital Emergency Rooms

From January 1, 2016 to August 31, 2016, emergency rooms serving Summit County residents have treated an estimated total of 1,269 drug overdoses.\* Since the beginning of 2016, cases per day remained relatively low, averaging 3 per day from January 1 - July 4 (Figure 1a). However, beginning in the second week of July, overdoses began rising rapidly from 3 per day to 14 per day through the remainder of July (Figure 1b). After reaching 10 cases for the first time on June 26, the number of drug overdoses ended up hitting double-digits on 44 of the 58 days in July and August, reaching a high of 25 on July 27th. All told, there were 395 estimated overdoses in July 2016 and another 328 in August 2016; far more than the rest of the year to date combined (543 from January 1 - July 4 and 726 from July 5 - August 30).

Overdose ER Visits by Day



Overdose ER Visits 7-Day Moving Average

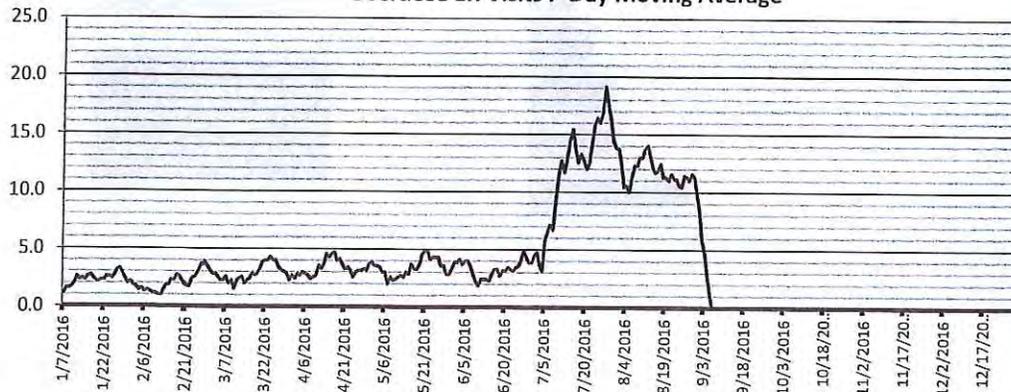


Figure 1a and 1b: Visits to the ER Due To Drug Overdoses By Day (top figure) and By Seven-Day Moving Average (bottom figure) -- Note: Because day-to-day total ER visits tend to fluctuate, a seven-day simple moving average chart is included to more clearly examine trends in the data. Source: EpiCenter

\* Drug overdose data is retrieved from the state's EpiCenter surveillance tool. "Overdose" cases include all emergency visits to a Summit County medical provider in which drugs were identified as the cause of traumatic injury. Overdose cases were further refined by selecting only those cases where the case notes included the terms "OD" or "overdose." Traumatic injuries due to drugs caused by suicide attempts, allergic reactions to normal medications, or accidental overdoses of everyday drugs (such as Tylenol or Ibuprofen) were removed where identified. Zip codes refer to the zip code of residence of the patient visiting the ER. Data cited in this report represents the full-day totals from the day before the report's release.

It is important to note that these are estimated figures rather than a full and final count because initial diagnoses and/or details of a particular case may change from a patient's initial examination to his or her final outcomes, and because the limited case notes field in EpiCenter may not include all details necessary to firmly classify a case as an overdose.

It is also important to note that case notes available through EpiCenter rarely identify the specific drug or drugs involved in an overdose. Therefore the figures here can be associated with any drug, not just heroin and/or fentanyl.

Day of Week "Heat Map" - YTD 2016

	12 AM	1 AM	2 AM	3 AM	4 AM	5 AM	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM
Sunday	7%	4%	2%	2%	1%	0%	3%	1%	2%	2%	2%	4%	5%	5%	5%	6%	5%	6%	6%	7%	5%	6%	7%	5%
Monday	4%	2%	3%	3%	1%	2%	1%	1%	1%	1%	1%	4%	3%	8%	9%	6%	8%	7%	7%	5%	8%	5%	6%	5%
Tuesday	3%	2%	4%	4%	1%	2%	1%	2%	2%	2%	2%	2%	4%	6%	2%	9%	7%	6%	8%	3%	10%	6%	7%	5%
Wednesday	5%	2%	1%	2%	0%	1%	1%	1%	1%	2%	2%	4%	2%	5%	4%	7%	4%	5%	10%	12%	7%	7%	7%	8%
Thursday	4%	3%	3%	2%	2%	0%	1%	1%	2%	3%	3%	2%	4%	7%	2%	6%	5%	7%	8%	6%	9%	12%	7%	3%
Friday	6%	2%	2%	1%	1%	1%	1%	0%	1%	2%	2%	3%	3%	3%	8%	3%	6%	8%	5%	10%	9%	6%	9%	6%
Saturday	5%	5%	3%	1%	2%	3%	1%	2%	1%	3%	4%	5%	2%	3%	6%	6%	8%	4%	5%	5%	5%	8%	9%	7%
Total	5%	3%	3%	2%	1%	1%	1%	1%	1%	2%	2%	4%	3%	5%	5%	6%	6%	6%	7%	7%	7%	7%	7%	5%

Figure 2: ER Visits by Time of Day and Day of Week – The chart above presents total Summit County ER visits for each hour of each day. The chart is read left to right, and presents the percentage of each day's ER visits due to drug overdoses that occur in each hour of the day for all days from January 1, 2016 to August 31, 2016. The cells are also color coded to show a "heat map" effect of busier and slower times throughout each of the seven days of the week. Source: EpiCenter and SCPH calculations.

Percent of ER Visits By Hour - OD / Overdose-Related - YTD 2016

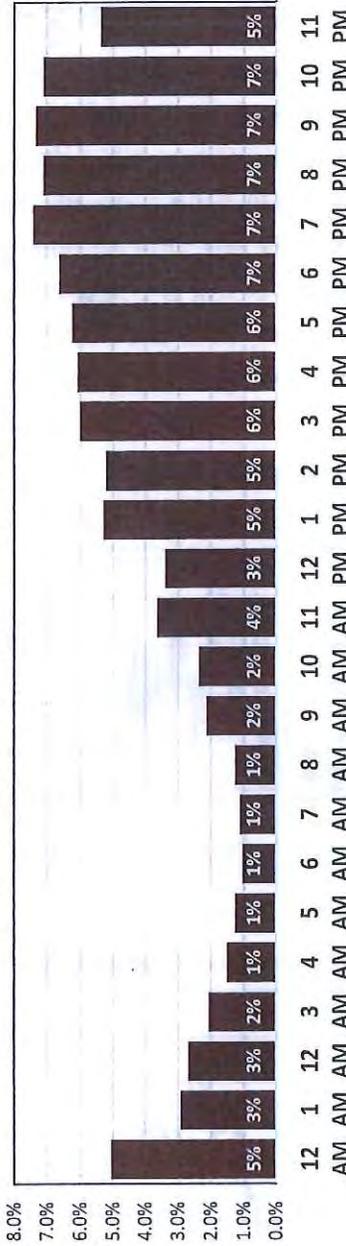


Figure 3: Summary Chart of ER Visits by Hour of the Day, January 1 - August 31, 2016  
Source: EpiCenter and SCPH

Percent of ER Visits By Day - OD / Overdose-Related - YTD 2016

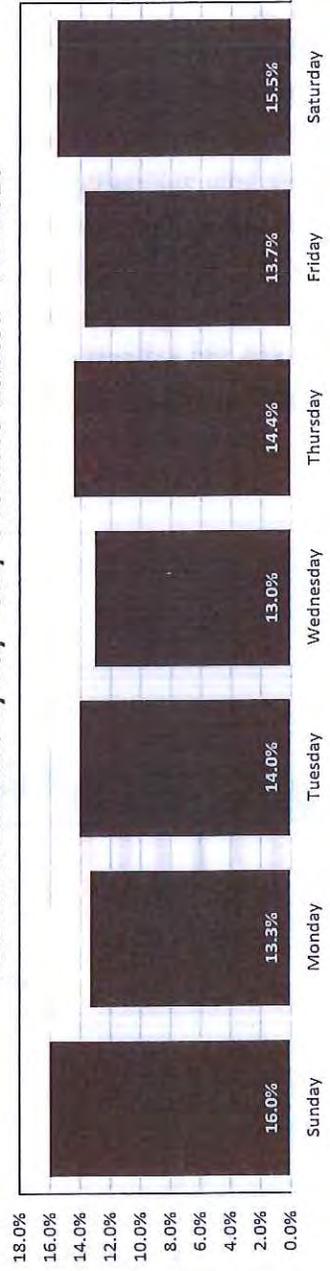


Figure 4: Summary Chart of ER Visits by Day of the Week, January 1 - August 31, 2016  
Source: EpiCenter and SCPH

## Demographic and Geographic Profile of Overdoses, YTD 2016

**Age** - People in the 25-34 and 35-49 age categories (37% and 24%, respectively) had the highest percentage of overdoses. Another 21% were in the 18-24 category, while people age 50-64 accounted for 14%. People in the under 18 and over 65 categories accounted for a combined 4.2%.

**Gender** - Males made up 60% of overdoses so far in 2016; females 40%.

**Geography\*** - Overdoses have happened throughout the county, with zip code 44203 having the highest number of overdoses at 138 (10.9% of all cases). Zip Code 44312 had the second-highest number of overdoses at 110 (8.7% of all cases), while 44314 had 95 cases, which was 7.5% of the county-wide total. Combined, these three zip codes account for 27% of all overdoses through July. Combined, Akron currently accounts for 57% of all overdoses in 2016, while suburban communities account for 43%.

Number and Percent of Overdoses by Zip Code, January 1 - August 30, 2016

Row Labels	Count	Percent
44203	138	10.9%
44312	110	8.7%
44314	95	7.5%
44310	91	7.2%
44306	84	6.6%
44221	78	6.2%
44305	68	5.4%
44320	60	4.7%
44301	53	4.2%
44224	51	4.0%
44685	38	3.0%
44278	36	2.8%
44067	35	2.8%
44313	34	2.7%
44307	31	2.4%
44223	31	2.4%
44319	30	2.4%
44311	26	2.1%
44333	20	1.6%
44321	19	1.5%
44302	17	1.3%
44056	16	1.3%
44303	16	1.3%
44236	15	1.2%
44304	14	1.1%
44262	13	1.0%
44309	12	0.9%
44216	12	0.9%
44087	9	0.7%
44286	6	0.5%
44308	4	0.3%
44264	2	0.2%
44250	1	0.1%
44210	1	0.1%
<b>Grand Total</b>	<b>1,266</b>	<b>100.0%</b>

Emergency Room Visits Due to Drug OD / Overdose Summit County by Home Zip Code of Patient, All Summit County Provider Types, As Of 8/30/2016

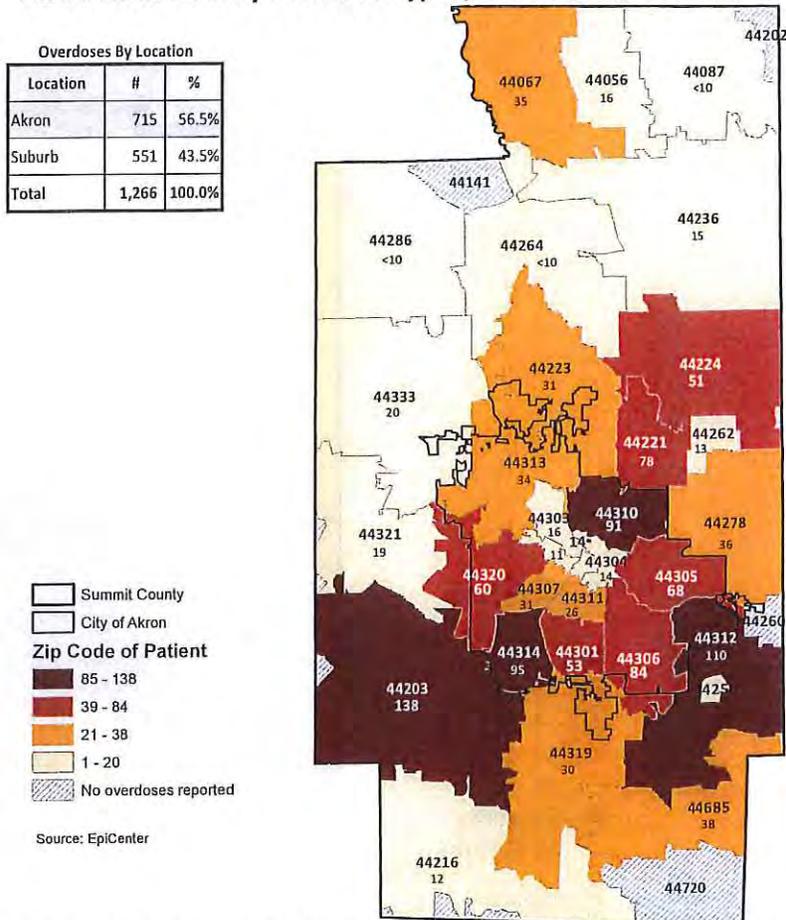


Figure 5: Number and Percent of ER Visits Due to Drug Overdoses, YTD 2016  
Source: EpiCenter and SCPH. Note: Figures for zip codes with fewer than 10 overdoses are not shown to preserve confidentiality.

\* - Overdoses for the 44250 zip code area (Lakemore) may have been reported by EpiCenter as being in 44312.

## Demographic and Geographic Profile of Overdoses, YTD 2016 (cont)

**Deaths Per 1,000 by Zip Code** - Figure 5 shows the raw number of overdoses by patient zip code. Figure 6 shows the number of overdoses per 1,000 population by zip code. As the map shows, the heaviest concentration of overdoses per 1,000 population come from zip codes in the southern and eastern portions of Akron and Springfield, and include three of the zip codes with the highest number of zip codes. The 44314 zip code has the highest rate of the zip codes with at least 50 total overdoses (4.7 per 1,000), while the 44310 zip code has an overdose rate of 3.7 per 1,000 and the 44306 zip code has 3.6 overdoses per 1,000. Zip code 44203 (the Barberton / Norton area), which has the highest number of overdoses, has a rate of 2.9 per 1,000 population. The lowest rate for zip codes with at least 50 total overdoses is 44224, with a rate of 1.3 overdoses per 1,000 population.

### Emergency Room Visits Due to Drug Overdose Per 1,000 Population, Summit County January 1 - August 31, 2016

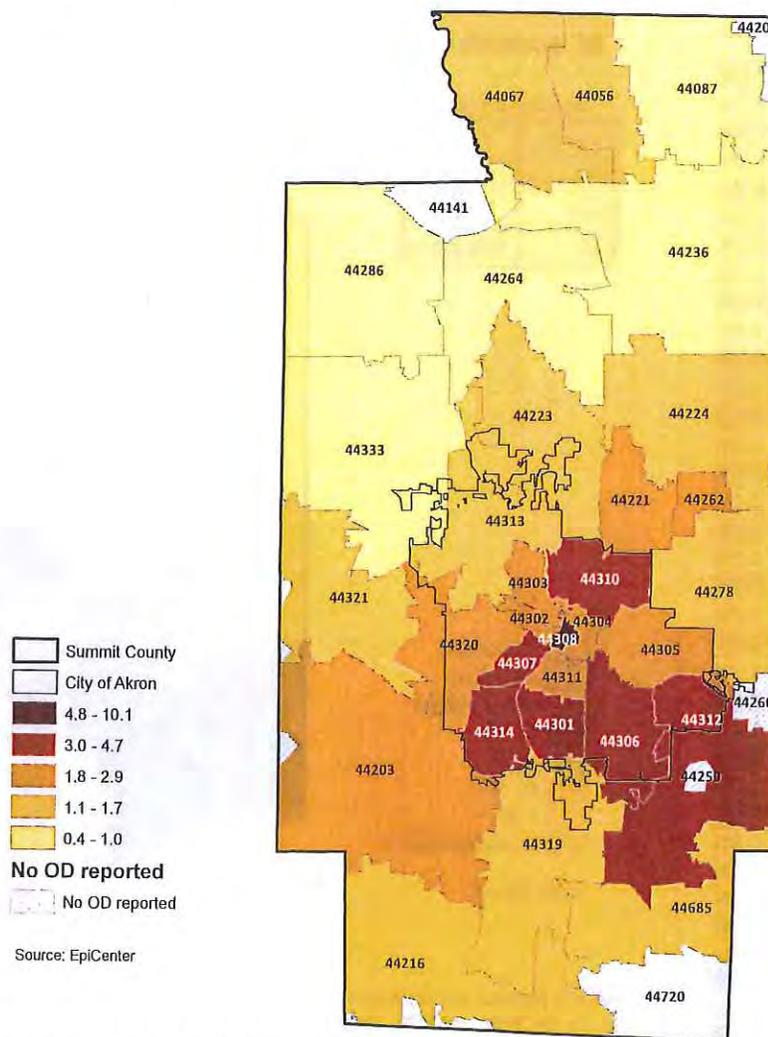


Figure 6: Drug Overdose Deaths Per 1,000 Population, YTD 2016  
Source: EpiCenter, U.S. Census Bureau

## Long-Term Trends in Overdose Deaths

Deaths due to accidental poisoning and exposure to various types of drugs held fairly steady for most of the decade of the 2000s, fluctuating between nine and 12 deaths per 100,000 from 2002 to 2009. However, deaths due to drug overdoses rose sharply in four of the six years between 2010 and 2015. In fact, overdose death rates more than doubled during those six years, rising from 11.8 per 100,000 in 2010 to just over 24 per 100,000 by 2015. Deaths due to poisoning by narcotics and hallucinogens led the way, making up nearly 58% of all drug poisoning deaths since 2000 (579 total deaths); a much larger number and percentage than in any other single category. In addition, narcotic and hallucinogen poisonings have

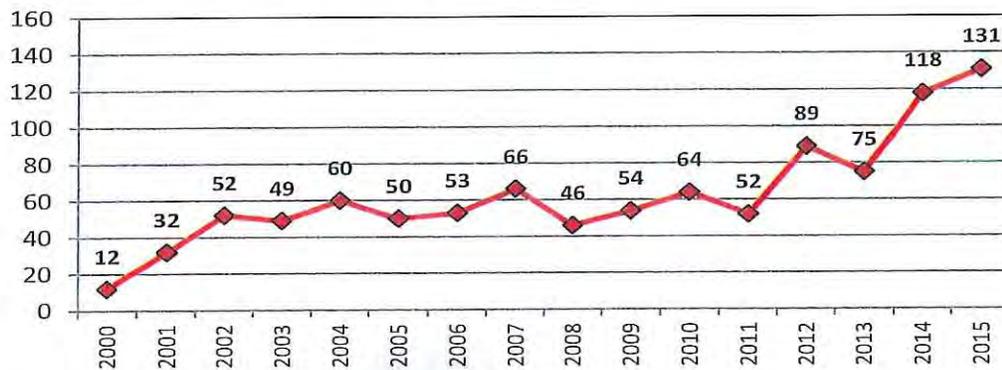


Figure 7: Drug Poisoning Deaths, 2000-2015 (primary underlying cause of death X40 - X44), Source: Ohio Department of Health Death Records, SCPH

been growing as a percentage of all drug poisoning deaths, rising from 37% of all drug poisoning deaths between 2000 and 2009 to 63% of all drug poisoning deaths between 2010 and 2015.

Overall drug overdose deaths rose by 642% between 2000 and 2012. By comparison, drug poisoning deaths for the state of Ohio during this same period only rose by 366%.<sup>1</sup>

Drug poisoning deaths rose both in raw numbers and per 100,000 population. Figure 8 below shows that drug poisoning deaths rose from 5.9 per 100,000 between 2002 and 2004 to 12.0 per 100,000 between 2013 and 2015. While the overall rate nearly doubled, the rates by race differed sharply. Between these time periods, the African-American rate rose from 8.4 to 10.8 per 100,000; a 29% increase. However, during that same period, drug poisoning rates for whites rose from 10.4 to 22.3 per 100,000; a 114% increase. While not directly comparable because of different methodologies, this sharp rise among whites is consistent with recent findings around the nation that whites are becoming victims of the heroin overdose epidemic in greater proportions than other

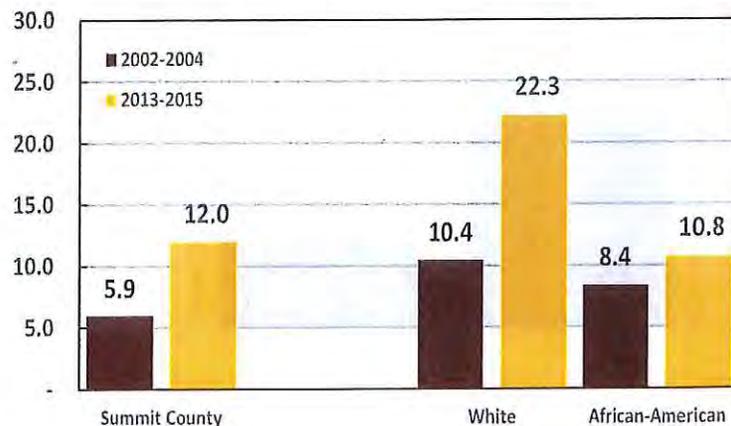


Figure 8: Age-Adjusted Drug Poisoning Deaths Per 1,000 Population, 2002-2004 and 2013-2015 (primary underlying cause of death X40 - X44), Source: Ohio Department of Health Death Records, SCPH

<sup>1</sup> Ohio Department of Health Healthy Ohio website, <http://www.healthy.ohio.gov/vipp/drug/dpoison.aspx>; SCPH calculations.

rates. For example, a 2015 CDC study of heroin use rates between 2002 and 2013 showed that the white rate of heroin use during the past year rose from 1.4 per 1,000 whites between 2002 and 2004 to 3.0 per 1,000 between 2011 and 2013.<sup>2</sup>

Figures 9 to 12 present some basic demographic information about the 131 drug poisoning deaths in 2015 (note: figures may not total to 100% due to rounding).

- The biggest single age group is 35-49, which accounted for 35% of total drug poisoning deaths, closely followed by those in the 25-34 age group (30%).
- Nearly three-quarters of the deaths were male (70%) and the remainder female (30%).
- Most drug poisoning deaths were to those with a high school diploma or GED (57%), while another quarter were of persons with less than a high school diploma (26%). Only 6% of deaths were to those with a 2-year degree or more.
- The vast majority of deaths in 2015 were white (89%), while 6% are African-American.

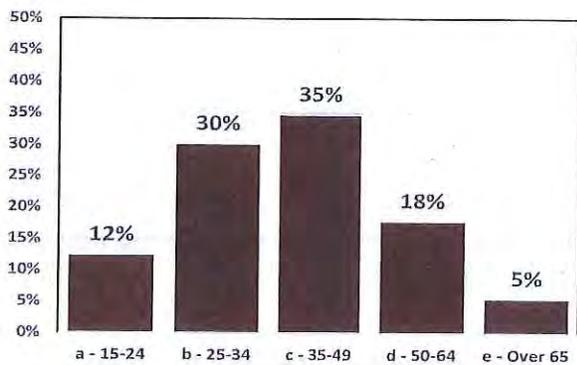


Figure 9: Age At Death of Persons Dying of Accidental Drug Poisoning, 2015, Source: Ohio Department of Health Death Records, SCPH

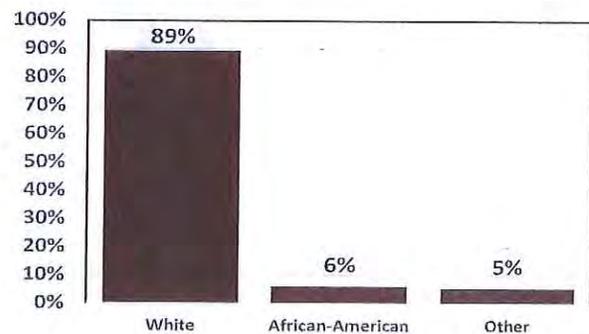


Figure 10: Race of Persons Dying of Accidental Drug Poisoning, 2015, Source: Ohio Department of Health Death Records, SCPH

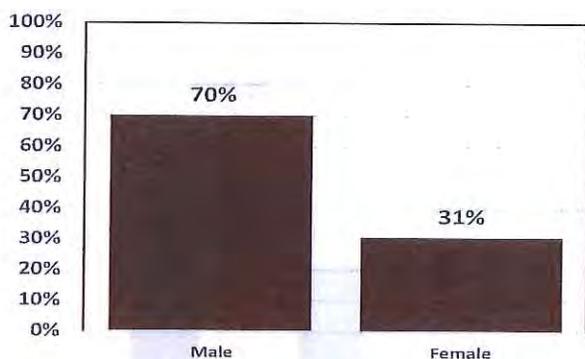


Figure 11: Sex of Persons Dying of Accidental Drug Poisoning, 2015, Source: Ohio Department of Health Death Records, SCPH

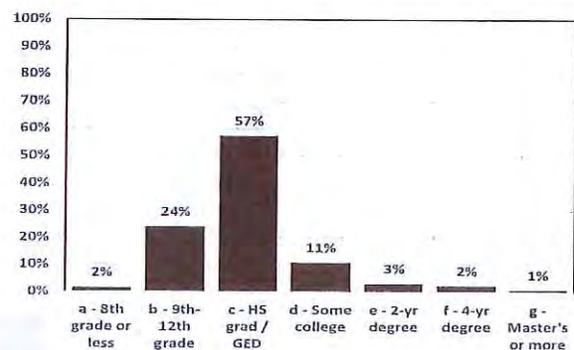


Figure 12: Educational Attainment of Persons Dying of Accidental Drug Poisoning, 2015, Source: Ohio Department of Health Death Records, SCPH

<sup>2</sup> Centers for Disease Control and Prevention (CDC); Vital Signs: Demographic and Substance Use Trends Among Heroin Users — United States, 2002–2013; <https://www.cdc.gov/mmwr/preview/mmwrhtml/mm6426a3.htm>.

(b) Rates for Norton Sewer System Customers.

- 1) There shall be four rate categories for Norton residents serviced by Barberton: (A) a flat rate for existing customers (the "Flat Rate"), (B) a metered rate for existing customers (the "Metered Rate"), (C) a flat rate for DOES customers moving to the Barberton system and that are currently connected to the Norton Acres, Brentwood, Frashure Park or the Interstate Industrial Park package plants (the "Modified Flat Rate") and (D) a metered rate for DOES customers moving to the Barberton system and that are currently connected to the Norton Acres, Brentwood, Frashure Park or the Interstate Industrial Park package plants (the "Modified Metered Rate").

**Residents of:**  
**Brentwood**  
**Norton Acres**  
**Frashure Estates**  
**Estimated Cost**  
**\$5 million dollars**  
**to these residents**

The Modified Flat Rate will initially be equal to the rates currently set forth under the headings "Norton Package Plants" in Section 1040.13(b) of the Barberton Codified Ordinances. The Modified Metered Rate will initially be equal to the rates currently set forth under the headings "Norton Package Plants" in Section 1040.13(c) of the Barberton Codified Ordinances. Thereafter, the Modified Flat Rate and the Modified Metered Rate will be increased at the same rate and at the same time as the Flat Rate and the Metered Rate, respectfully. The Modified Flat Rate and the Modified Metered Rate will remain in effect until the debt service incurred by Barberton to pay the costs of abandoning the Norton Acres, Brentwood, Frashure Park and the Interstate Industrial Park package plants is paid in full.

**50%**  
**SURCHARGE**  
**FOREVER**  
**ALL OF**  
**NORTON**

- 2) After the effective date of this Agreement, Barberton will amend its ordinances to provide that a 50% surcharge will be charged to Norton customers (the "Norton Surcharge Rate"). Norton will repeal its surcharge ordinance currently codified as Section 1042.06 of the Norton Codified Ordinances.

(c) Billing of Norton Sanitary Sewer Customers. Barberton shall bill Norton customers in accordance with the same procedures established for Barberton customers.

(d) JEDZ Agreement. Barberton and Norton are parties to the JEDZ Agreement which governs the provision of sanitary sewer service by Barberton. Barberton and Norton agree that with respect to the terms of the JEDZ Agreement:



(e) Assessments for Future Projects. Barberton and Norton agree that any special assessment levied pursuant to Chapter 727 of the Revised Code to pay the property owner's portion of capital improvements to the Norton Sewer System in Norton will require authorization of the Norton City Council. Norton agrees to cooperate with Barberton in seeking authorization of the Norton City Council for such special assessments when necessary. Notwithstanding the foregoing, if Barberton has initiated a capital improvement to the Norton Sewer System either at the request of Norton or upon order or mandate of either the OEPA or the Summit County Health District, then Norton agrees that, to the extent the Norton City Council fails to adopt an assessing

ordinance for such capital improvement in accordance with Section 727.25, then Barberton may levy and collect as part of its monthly sewer bill, a capital recovery charge against each property owner specially benefited by the capital improvement in an amount sufficient to pay the property owner's portion of the cost of such capital improvement. The monthly capital recovery charge may not, on an annual basis, exceed the amount that would have been charged against a property owner if such property owner would have been assessed for the cost of such capital improvement in accordance with Chapter 727 of the Ohio Revised Code.



**City of Norton**

**Silver Springs Drive Reconstruction**

**Bid Tabulation Summary**

9/9/2016

<b>Contractor</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Public</b>	\$308,575.50	\$277,699.93	\$396,800.00	\$387,718.37
<b>Public with Expedited Completion</b>	\$328,575.50	\$305,699.93	\$396,800.00	\$412,718.37
<b>Public + Private</b>	\$376,162.82	\$363,136.93	\$444,526.00	\$446,690.79
<b>Public + Private with Expedited Completion</b>	\$396,162.82	\$399,136.93	\$444,526.00	\$475,690.79

