



COMMITTEE WORK SESSION FEBRUARY 2, 2015

Committee Members Present:

Scott Pelot
Dennis McGlone
Danny Grether
Dennis Pierson
Paul Tousley
Charlotte Whipkey
Rich Rodgers

Also Present:

Mayor Mike Zita
Valerie Wax Carr
Ron Messner
Justin Markey
Karla Richards
Ann Campbell

The Committee Work Session convened on Monday, February 2, 2015 at 7:05 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Rick Rodgers, President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

General Topics of Discussion:

Nash Heights Assessments-Discussions Continued from Finance-Utility Meeting Earlier
Mr. McGlone asked about the maintenance fee if we have a figure on this yet and if someone has to be there every day? Mr. Demboski noted that we are working on the life cycle costs, and this will determine what is the best route to go. Mr. Rodgers noted that Council is going on a fact finding mission to Portage and Mahoning County if anyone would like to also attend this Thursday, to discuss just that. Ms. Whipkey discussed the research Mrs. Richards did for the Village of Forest and they indicated they monitor just one day a week. Mrs. Richards concurred and added that she was told its just one day a week but it is all day. Mr. Tousley stated he still does not understand why the savings between the two options is not reflected. Mrs. Carr noted that the surcharge money is money that is paid by all customers. Where exactly does that savings go? Mrs. Carr explained the surcharge money is everyone's money. Depending on the system and how the bids comes in, and its less, then that would mean that everyone is supplementing Nash Heights less. Mr. Tousley asked wouldn't the savings being paid by the Nash Heights residents be supplementing everyone else? Mrs. Carr stated we would need to see numbers as to what Nash Heights is bringing.

Mr. Pierson stated the battle cry all along is that residents have paid for their sewer when they build or purchased their home, so why should I have to pay for Nash Heights? Mr. Pierson stated now it seems to him the situation has been turned around. Mr. Pierson stated we are not here to generate money; we are here to take care of the EPA mandate. Mrs. Carr stated that under the MOU we are trying to use the surcharge money to offset the costs. Mr. Markey stated the base rate would be reflected by Barberton in line #45 to come back and benefit new customers. That's not something that Barberton would be discussing to offset the Norton customers. Mr. Demboski stated that over the 20 years the surcharge pays for the debt services. Mr. Tousley asked which surcharge are you referring to? Mr. Demboski stated that is the City's decision, and Mr. Rodgers clarified that is all of the Councils and the Administrations decision. Ms. Whipkey asked if we use roll back money can we go back to that \$5,000.00 figure? Ms. Whipkey asked how many times can we go back to that same well? Mrs. Carr noted we have called or bonding underwriters and asked how much money can the city borrow before it affects our bond rating process. Mrs. Carr stated our fiscal rating of our city could be in jeopardy here. Mr. Rodgers stated that was an action by the past council and we can amend this and extend that 25 year time line. Mr. Rodgers stated if this helps the city and continue to grow, he is willing to continue to pay this. Mr. Grether questioned last week and again now, are we able to sustain this now and in the future for all the residents of Norton? Mr. Grether stated if you really want to help people is to limit the amounts you want to take out of their pockets. Mr. Grether stated that unless you go out and get a home equity loan, it has to be paid when the work is done. The out of pocket expenses are an additional burden to pay the tap in fees. Mr. Grether stated that historically Norton has paid the tap in fees for other projects, and what is good for them should be good for all. Mr. Rodgers discussed using the 1.5 million and divide that into 304 benefits that comes up to \$4,000.00 so wouldn't that be a savings of \$4,000.00? Mr. Demboski replied yes and that is why you should go out for the bids in April and decide on those actual prices, you would also know who the contractor is. You still cannot award the contract until after July because of the OPWC Loan, so more like August or September. Mr. Rodgers stated if we waive the tap in fee for the one year, which would be coming off of the tax credit roll back fund. Mr. Demboski concurred. There was discussion about the \$3,000.00 tap in fee per unit and in the model the city would still be paying that for the residents if you decide to waive it for them in the first. Mr. Markey concurred it is part of all of the accounting coming in and that would be for the new customers. Mr. Rodgers stated last week he wanted to borrow \$6,000.00 for each house, but now would like to look at borrowing only \$3,000.00. Mr. Rodgers discussed the current debts and the dates when the fall off our schedule or expire and Mr. Messner indicated that was spelled out in the 2015 Budget that Council passed. Mr. Grether stated he is concerned with taking care of the residents right now and then focus on commercial. Ms. Whipkey stated that her main concern is that we have the funds for the next neighborhood. Mr. Grether stated that he was also concerned with the presentation of the model and if the costs for vacuum are lower, and how that affects the figures and the MOU with Barberton, seems all theoretical to him at this point. Mr. Demboski stated the surcharge funds will come into the funds. Mr. Rodgers asked where does the money go to when the County assesses the resident, and Mr. Demboski stated that would be who holds the debt, which would be Barberton.

Mrs. Carr stated she felt we should show the 3 scenarios of reducing the assessment, for true costs. Mr. Rodgers stated that \$8,000.00 has to be a conservative number to send out to the residents so that we don't have to come back and redo this. Mr. Rodgers stated if the vacuum comes in cheaper, then it would not affect the model because we won't have the debt with going with the higher cost system. Mr. Markey reminded everyone that no matter how the city offsets the assessment costs, the city still is legally required to pay the city's portion. Mr. Rodgers clarified that the city's portion does not come out of the tax credit roll back; it comes from all of that comes from the residents from surcharges, and other sources of funds. The reality is that it is all paid for by the residents, and Mrs. Carr agreed that was correct, the city has no magic money tree. Mrs. Carr stated we did get an additional loan of 1.4 million for Nash Heights West. Mr. Reese asked what the interest on the \$8,000.00 is and what was that the only model presented. Mrs. Carr stated the County will determine that, and Mr. Markey stated once we know how much we are borrowing we will then know what that interest is. Mr. Reese asked what were the past examples of interest rates in past projects? Mr. Demboski stated some were around 5% or slightly lower. Mr. Reese asked again about the \$8,000.00 was the only model used? Mrs. Carr stated that number of \$8,000.00 because it was based on the MOU agreement. Mr. Reese asked why wasn't the model used with \$4,000.00? Mr. Demboski stated the model was used with \$8,000.00 and could we afford to have Barberton take over the system and for us to not go into the red in any particular year. Mr. Reese asked what would have happened if Summit County came in and did that what chance would Barberton have? Would they have to pump the sewage father? Mrs. Carr stated we have not resolved it yet. Mr. Markey stated that the County or Barberton would not accept any waste without an agreement in place. Mr. Rodgers stated to make this model work it's based on this \$8,000.00 and Mr. Demboski concurred. Mr. Rodgers stated it's the 304 residents are paying that and Mr. Demboski stated there is also other revenue coming from the other projects in surcharge fees. Mr. Rodgers stated the assessment should only be enough to pay for the build in the Nash Heights. Mr. Demboski stated if you want to use the \$4,000.00 figure this model would not support that because that would not be enough to pay the construction costs. Mr. Grether asked if this would affect past assessments like Oak Street? Mr. Markey stated that the City has already borrowed the funds for that project and would not be offset. Mr. Rodgers stated he thought we could not collect on assessments on something we did not own. Mr. Markey stated in the past the lines were turned over to Summit County and now they would be turned over to Barberton. There was discussion as to the areas and streets of past assessment projects. Mr. Demboski stated if you have less construction costs, you would be borrowing less. Mr. Pierson discussed the difference in costs, and the letters going out to the residents would state it's just an estimate and Mrs. Richards concurred. Mr. Markey stated the Resolution of Necessity would spell out all of the project details and costs.

Engineers Cost Estimate

Mr. Pierson discussed the original construction and the video being done for each version and questioned the difference in costs? Mr. Demboski stated that has been revised and as he explained earlier that was an error that he had caught earlier. Mr. Rodgers discussed the soil sample detail report Mr. Demboski had supplied (see attached).

Mr. Rodgers stated that he and others have asked the question as to why the pump station could not be built at Shellhart and Greenwich rather than Greenwich & Gulf Course Drive. Mr. Demboski stated we were told there is an old peat bog in that area. Mr. Demboski discussed the road borings that were done at Gulf Course Drive, and there was no drilling done at Shellhart. Mr. Demboski stated he has since called them and asked for them to take another look at this. Mrs. Carr stated we would do additional samples of necessary, however she suggested the bid process list this as an alternate. Mr. Demboski noted either location would be at the same depth. Mr. Demboski stated he has spoken with the church and they may be interested in extending the line to them. Mr. Rodgers stated the church is not part of the Nash Heights problem that we are trying to address. The additional cost to do this is being thrown onto the backs of the residents in Nash Heights. Why isn't this just limited to the area on the map? Mr. Demboski stated that the utilities facility plan was approved by the EPA and this does make the pump station available to service that area. Mr. Pierson noted when Grace Brethren built they paid to bring the lines in themselves, the City did not pay for this. Mr. Rodgers asked how many more homes to we have to include in the plans to satisfy the EPA and Mr. Demboski estimated around 100. Mr. Rodgers asked if we are designing both pump stations large enough to accommodate this and Mr. Demboski replied yes. Mr. Rodgers offered that anything over in size needed to satisfy the EPA should be paid by the City and not by the surcharges or half bas rates from the roll back. Mayor Zita asked if we wouldn't be better off to pay that out of the tax credit roll back fund; and keep the surcharges in the Nash Heights area. Mr. Markey indicated the final agreement with Barberton would be the roll back dollars would pay for the pump station, or any other items you select. Mayor Zita stated if there is any cost related to over sizing the pump stations; he would like to use the tax credit roll back fund. Mr. Pierson asked at what size does that pump station have to be to satisfy the EPA and Mr. Demboski replied at 300 gallons per minute. Mr. Pierson asked if those 300 gallons per minute would be enough to handle that farm west of the church if it were developed and Mr. Demboski replied yes. In designing the plans you have to look at all land as if it were to be developed; you cannot just look a few years into the future, you have to look long term. Mr. Demboski discussed the utility facilities study that was done in the late 70's and was updated in 1993 and every time we apply for funding, we have to go by that plan. Mr. Tousley stated he has a map from the EPA mandate from 2013 and none of the Golf Course Drive area is listed here. Mr. Demboski replied that relates to forced connections and he is talking about planning. Mr. Demboski stated that the 201 Facilities Plan is what he is working from. Mr. Tousley stated he would like to see a copy of that plan. Mrs. Carr clarified when we met with the EPA they indicated that this facilities plan needs to be updated. Mrs. Carr clarified that the map Mr. Tousley is referring to is the defined in the consent decree order. Mr. Demboski stated the EPA has accepted this plan in order to get this project rolling. Ms. Whipkey stated what the EPA is saying is that we have to have something bigger than just Nash Heights. What Council wants to know is what does it take to serve Nash Heights that they would have to pay; then the roll back money would be applied to what ever more the EPA requires. Mr. Pierson asked once Barberton assumes the EPA Order, can any of this be changed? Mr. Markey stated we can clarify this in the final agreement as a concern. Due to the timing, they would not assume the EPA Order until basically the contract is awarded and we are all moving down the field together.

Mr. Demboski stated we still have to follow our facilities plan and the study shows that area will still be served. Mr. Rodgers added that it's also because we are borrowing the money from the EPA. Mr. Pierson asked if those numbers are within the overall costs. Mr. Pierson stated being friends with the farm owners, he highly felt this property would not be developed. Mr. Pierson recalled when Grace Brethren Church built their sewer line they paid for it themselves. Mr. Rodgers asked Mr. Demboski how many homes do we need to add to build that pump stations and Mr. Demboski estimated about 100. Mr. Rodgers stated anything over what is required to satisfy the EPA mandate in Nash Heights should be paid entirely by the City. Mayor Zita stated that during the Barberton negotiations the roll back money was not a discussion. Mr. Markey stated that could be part of the agreement that will be worked on in the future. Mayor Zita stated if we are going to oversize the pump stations it should be paid out of the tax credit roll back. Mr. Pierson asked at what point would that pump station require more and Mr. Demboski stated the maximum would be 300 gallons per minute. Mr. Person asked then what is the minimum? Demboski stated if there is 400 homes its going to take 300 gallons per minute. Mr. Demboski stated the City has a facilities plan from the 1970's and was updated in 1993 and every time we apply for funding and planning we have no choice but to follow that plan. Mr. Tousley discussed the EPA map and the orders and asked if we are supposed to expand beyond that? Mr. Tousley asked to have proof of that planning and that the EPA is mandating this. Mrs. Carr stated the EPA meetings we attended we were advised by the EPA that our facilities plan/map is to be updated. Mrs. Carr noted the map Mr. Tousley is referring to is the mapping of the consent decree area that needs addressed. Ms. Whipkey stated that what Mr. Tousley is trying to get at is that the EPA is asking us to go above and beyond that. Mr. Demboski stated in the initial plan we had never intended on using any of the roll back money. Mr. Pierson asked once Barberton assumes the order, can it be changed, can Barberton come in and say they want to do more. Mr. Markey stated this would be clarified in the final agreement if this is a concern. Mr. Demboski stated this is no capacity unless Barberton builds a force main. Mr. Jack Gainer discussed the end of Shellhart his son-in-laws property and noted there is a natural gas line across the road, and obviously the pump station cannot sit on that property. Mr. Demboski stated it would be to the northwest corner and far enough back from that gas line. There was discussion as to where the pumping station would be located in connection to the sewer line. There was discussion as to the location of the sewer line being on the south side of Greenwich Road and the pump station would be on the opposite side and Mr. Demboski concurred, that is the area that we are looking at. Mr. Demboski stated there would be a manhole stub stopping from taking the sewer line farther. Mr. Gainer stated he may decide to build a house in this area and questioned where it would actually stop, and he wants to have access to sewer, but not if this has to connect from over 300 feet away. There was more detailed discussion on this location and how the sewer line would come into play. Mr. Rodgers asked is it cheaper to move a waterline or a sewer line and Mr. Demboski stated it's probably cheaper to move a water line. Mr. Gainer stated if you decided to stop the sewer line at Shellhart because land may not be suitable, wouldn't it be more sensible to do the pile drive on the south side of the roadway? Mr. Pierson discussed the Seiberling farm house and Mr. Demboski stated it's the parcel that faces Shellhart Drive near Hudson Run.

Mrs. Carr clarified that there was no solicitation of the church, those outlander areas we felt it was critical to inform those of the potential of the sewer line. We were not seeking additional parcels into the project, we were only advising. Mr. Reese discussed a presentation that Mr. Dougherty stated it would not be a big thing to add more capacity. Mr. Reese stated he felt it was stated a bigger pump could be used for future growth. Mr. Demboski stated the pump we are considering would be used during low flow until it's all built out and expanded. Mr. Demboski stated that downstream it cannot handle more than 3000 gallons per minute. Mr. Rodgers stated he wants to see the additional costs of both gravity and vacuum be shown separately so that we can address that later. Mr. Rodgers discussed the pump stations, and there are several styles of tanks we can use. We need to choose the proper one for the long life time expected. Mr. Demboski stated this is something he is working on to get the prices from Air Vac. Mr. Rodgers asked about the compact style pumps and Mr. Demboski stated that is what he is working on getting. There are three (3) choices of tanks, fiberglass, carbon steel and stainless steel and it just depends on how you build the stations. Mr. Rodgers stated that we as Council would like to see those final costs. Mr. Rodgers noted in Portage County, they did the building and the lines separate. Mr. Demboski stated Council will be looking at 8 total processes, and Mr. Demboski stated that would be reflected in the bid prices. Mr. Grether commented on the pump station and the size and anything above what is needed the Mayor stated he would support this. Mr. Grether stated he has already received some pushback and wants to see more dialog on this. Mr. Grether stated Mr. Rodgers has stated now at two (2) meetings that we would have enough money to build the sewers in Nash Heights and then also grow the residents as well. Mr. Rodgers stated he is all for commercial growth but we are not ready for that now. Mr. Grether disagreed with that statement. Mr. Grether stated that this MOU lays out our ability to grow financially as a community, and it all sounds rosy that we can do both and grow both. Mr. Grether encouraged having more open discussion on this. Mr. Pierson stated its all about the type of development you want. Mr. Pierson stated commercial is the way to go, but why not bring in more residents? Mr. Grether discussed the larger farmers and that it's up to them on what they want to do with their land, it's not up to us. Mr. Pierson stated the majority of this Council decides how that tax credit roll back is to be used. Mr. Rodgers cautioned about growth in the community and if we grow we have more demands on our police and fire departments. Mr. Rodgers stated we need to get a tax base built. Mr. Tousley stated his comments are so that he is doing his due diligence so that we do not over spend for the residents.

Unfinished Business:

None

New Business:

None

Topics for the next Work Session:

Heritage Homes Program. Mr. Rodgers stated he was really eager to move on this, and after discussions with Green it's really not suited for what he was looking for in assistance with the residents.

It's not really geared for low income homes and Ms. Whipkey stated it's more for historical purposes, to maintain a code in older neighborhoods. Ms. Whipkey stated the threshold was 1-2 persons making \$62,000.00 or less and was not required to live in the home. Ms. Whipkey stated she felt this is something we don't need to pursue. All of Council agreed this was best not to continue this discussion.

Codified Updates for 2014-Mr. Rodgers discussed moving this from the COTW next week. Mrs. Carr discussed in the past with Mr. Grether about having consultants about the CRC and it was decided to have the consultants here for presentation on Feb. 17th. Mr. Grether noted he had also asked about the status of the CIC and for Mr. Markey to present the details and Mr. Markey stated this could be discussed and Council would need to decide what direction they want to take. Mr. Grether asked if once the CIC is established could Council remove a member? Mrs. Carr stated that she would work with Mr. Markey on those issues.

Public Comment-Agenda and Non Agenda Items:

Mr. Gainer asked if it's the City Council or the City of Barberton that develops the maintenance costs? Mr. Rodgers stated we will all be involved with this decision. Mr. Gainer stated that there would be a cost determined for those on vacuum systems. Mr. Demboski replied there would be one. Mr. Rodgers stated the station would be located at either Shellhart or Golf Course Drive. Mr. Gainer asked then where would it all go once it reaches that new pump station and Mr. Demboski replied up to the station on Shellhart. Mr. Gainer stated so then there would be two (2) lines and Mr. Rodgers agreed that would also be true if it were gravity sewers. Mr. Gainer discussed the CIC and Section 508 of the Charter it states Council shall provide by ordinance for the Community Development and the Director of Community Development would be the head. Mr. Gainer asked if we have such a department and Mrs. Richards clarified there is legislation that created this department. Mr. Gainer asked why then if the department exists and it's not filled? Mr. Rodgers stated that funding was cut in the budget and we fully intend to staff this department this year. Mr. Gainer stated that this position is required by the Charter and felt we have been without one long enough and have been violating the Charter every day and asked Council forthwith to fill this position. Mr. Markey stated the Charter requires for the organization of this department, not to fill this position. Mr. Gainer asked Mr. Markey if that's this case then who is running this department, shouldn't that legislation state who runs this department. Mr. Markey stated he would have to look at the ordinance. Mrs. Carr stated that has always been her intention to fill this and if Mr. Rodgers feels the support is there she would be happy to work on something. Mrs. Carr stated we have to get a person there that can get things done and a support staff there. Mr. Gainer stated he felt this is needed because of the discussion by Mr. Rodgers and Mr. Grether and commercial development and how Mr. Rodgers felt you can have residential development without commercial development. Mr. Gainer stated you cannot have 300-400 people come here with no sewer or water. Development all has to tie together, one would help the other. Mr. Rodgers gave an example of Fairlawn that has not grown residentially, but they have the commercial development. Mr. Pierson clarified that part of the search for Planning Director is salary based. Mrs. Carr indicated she and Mr. Markey are working on that to bring to Council shortly.

Public Updates:

Mayor Zita noted we have some Boards & Commissions that need filled, we have press releases seeking candidates. Mayor Zita noted Ms. Whipkey discussed the display boxes going up in the Community Center. Mayor Zita noted at the recent Building Bridges dinner hosted by the Norton Kiwanis. At this meeting these shadow boxes were presented, and they have a glass front with a locked box. Each of the civic organizations will have their own box for display. Mayor Zita stated that Mr. Nick Reinfeld who owns Yoder graphics paid for the sign above the boxes that says "*Norton-A community of Service*" which will be installed soon. Mayor Zita announced the Adopt a Spot program coming this year. The cost is \$150.00 to support a spot and our goal is to have 25 spots adopted by June 1. Mayor Zita announced that local civic groups came together with \$450.00 to work on the gazebo at Williams Park. Mayor Zita stated that Norton received word we will again be a Tree City for 2015. We have a simple recycling drop box here at City hall at the recycle area in the parking lot for soft textiles to be dropped off. Ms. Whipkey stated last week she attended the MAD meeting and Kim Trenary was elected as Chair, and Vice Chair is Karen Miller. There was a vacancy since Mike Saffron had resigned. They will be going to the Summit County Judge to determine how to properly fill this vacancy. They are also looking at how the decreased property taxes are affecting their revenue. Mr. Rodgers announced another town hall meeting at the end of February and that all Council is welcome to attend and we will be discussing the Nash Heights Assessments.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:15 PM.

Rick Rodgers, President of Council

NOTE: THESE MINUTES ARE NOT VERBATIM

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

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