



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
JUNE 22, 2015**

Roll Call: Scott Pelot
 Dennis McGlone-Excused
 Danny Grether-Excused
 Dennis Pierson
 Paul Tousley
 Charlotte Whipkey
 Rick Rodgers

Also Present:
 Mayor Mike Zita
 Valerie Wax Carr
 Ron Messner
 Justin Markey
 Karla Richards
 Dave White

The Regular Council Meeting convened on Monday, June 22, 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, followed by the Pledge of Allegiance and a moment of silent prayer. Remember those in Charleston

COMMITTEE OF THE WHOLE

Mr. Rodgers stated that earlier we had a Finance Committee and we discussed the funding for the Nash Heights sewer project and will be getting more figures from finance to discuss at the July 6, 2015 Committee meeting. Mr. Rodgers stated there would be some talk about ditches and it was decided to do it under Committee of the Whole. Mr. Rodgers noted we had some very bad storms come through here and a lot of areas were flooded, the City had a lot of calls, and he had visited many areas. Mr. Rodgers stated that we do have an issue with drainage and most of the complaints are that the City is not cleaning the culverts and ditches in the City. Mr. Rodgers stated we need to develop some type of a program so that we do what we are responsible to do and get this addressed. Mr. Rodgers stated all of Council has received the ordinances and responsibilities of the City and he believed we are responsible for maintaining the ditches and the residents are responsible to keep them clear. Mr. Rodgers stated he felt the ditches are just not graded properly and he believed that was the City's responsibility to make sure they were right and did not lay. Ms. Whipkey stated she was under the impression that the EPA does not necessarily want us messing with our existing ditches. Mrs. Carr handed out an informational sheet that Mr. White prepared (see attached that explained the function of a ditch. The issue is that the culverts are clogged or even bigger they are not large enough to handle the large storms. Mrs. Carr explained we do provide permits for driveway culverts and we allow a 12 inch pipe to be used and most people choose them as they are cheaper; it is something we may need to re-evaluate. Mrs. Carr stated that currently a movement to do away with piping of ditches, Summit County, Springfield Township and Copley no longer permit covered/piped ditches. Mrs. Carr stated that considering the type of drainage we have that having open ditches is something we should consider. She believed the City had an extreme responsibility for the storm sewers and the crews worked this past weekend trying to make sure they were clear.

Mrs. Carr pointed out that the property owners also have responsibility as well. Mrs. Carr stated that this culvert issue is a joint effort or partnership with the residents and the city; if you pipe your ditch, you have a responsibility to make sure the culvert is clean. Mrs. Carr stated she was surprised when she first came on board as to how much the City does to take care of our ditches and that does not mean that will change overnight as we need to work together for a solution. Mr. Rodgers suggested we should have a moratorium on ditches. Mr. Rodgers asked who dug those ditches originally and Mr. White stated the City did and was done as far as back as when Norton was a township. Mr. Rodgers stated that he also heard about some septic systems dumping into the ditches and some residents are burning up their sump pumps to keep water from entering their homes. Mrs. Carr stated we do have a lot of issues where residents are not doing things properly but that happens everywhere and not just Norton; we need to work with the citizens and re-educate them. We need to look at the areas and work together to correct them. In many of the properties she went to we have a lot of areas where people create their own problem by building a shed in a swale, landscape an area that jams the natural flow of water, construction sites need adjusted, and there are many factors involved in the problem. Ms. Whipkey stated in some cases the City had to clean out ditches and in so doing lowered the ditches to below the driveway culvert area; she knows the City has been asked on numerous occasions for the City to bring the ditch level up to the culvert as it cannot drain and she agrees with the improper grading issues. Some places she would not even call it a ditch with no area for the water to run and some ditches are so deep you can fall in. Mayor Zita added the overly deep ditches caused mosquito problems so it is one more reason to keep the level to enable flow. Mr. Pierson asked Mr. White if his office designates the proper size of the culverts and Mr. White replied his office does not get involved in this. Mrs. Carr stated that is the Service Dept. provides the proper specifications and if the home owner can get it done with smaller size then they most likely would opt for that. Mrs. Carr indicated that maybe a twelve (12) inch minimum is not really big enough and we may need to look at that. Mr. Pierson stated that if it's installed properly and approved by the City then it is our responsibility and Mrs. Carr stated she did not agree. Mrs. Carr stated that she compares culverts to sidewalks being installed. When the City comes out and installs the new sidewalk and once that sidewalk is put in it's the responsibility of the homeowner. Mr. Pierson stated that driveway culverts and storm water piping to the ditch are not the same thing and questioned who sets the standard. Mrs. Carr stated that Mr. Reynolds discourages putting these ditches to be piped and by allowing this is adding to our problems and she liked the idea of having a moratorium in order to look at this. Mr. Tousley discussed a situation he witnessed last Thursday night with a 46-48 inch culvert with an opening half covered with mud which did not allow the water to flow through and now the road is washing away. Mr. Tousley stated you have about a 15 foot wide river of water 2-3 feet deep going over the top of the roadway. Mrs. Carr asked if Mr. Tousley had reported that and Mr. Tousley responded he had not as he knew their hands were full. Mrs. Carr asked Mr. Tousley to provide her with the details so we can take a look at this area. Mr. Pierson asked Mr. White where we are with the school project and the water runoff where they took all the vegetation off the land. Mrs. Carr stated she called the Superintendent over this past weekend to tell them we need to have another meeting on this. The last meeting we met with them and Summit Soil, the ones actually reviewing and controlling the site, was involved and they are making some adjustments or improvements, however she felt that they are simply not enough; particularly along Shellhart. Mr. White commented that Summit Soil and Conservation District's opinion was that they are not doing enough.

Mr. Pierson questioned if there was a document on what the course of action was going to be and Mrs. Carr answered they were working on that right now, but it was more complicated than that. Mrs. Carr indicated that they were disputing it on some lines and felt they had done what they should and there is no additional water being added but for the big storms causing problems. Mrs. Carr stated it is a known fact when you change the vegetation you change the water flow and they all understand that, but the reality is there are things that have changed that contributed to the issue; unfortunately there are steps we must go through to enforce that and is what they are working on right now. Mr. Pierson asked if we cannot go to the Barberton Court and get an injunction against this contractor? Mrs. Carr stated there is a way to stop all work, but we have to work through Summit Soil to do it and if that is what we have to do, we will do that. Mr. Pierson stated that six residents on Shellhart had water flowing in their basements over three weeks ago and it was supposed to have been done. Mrs. Carr responded that she had been out to Shellhart and there was only one family that had water going through a garage; everyone else had water in their backyards, if there was more, she was not aware of it. Mr. Pierson stated that Mrs. Nelson had a good twelve to twenty-four inches on her basement windows flowing off that property. Mrs. Carr asked if it was into her basement and Mr. Pierson responded that Mrs. Nelson said it was in her basement and had even sent Mrs. Carr videos pictures and a deposition as to the damages. Mrs. Carr stated she was in her home this past Thursday and there was no water in her basement at that time. Mr. Pierson responded that maybe we should re-contact her and talk to her. Mr. Pierson asked if the school will be providing a written plan of correction and Mrs. Carr stated we would be meeting and developing a plan. Mr. Rodgers discussed the \$450.00 costs to repair culverts in driveways and asked why can't the City finance a project to replace these culverts and have the residents pay us back over time as we have some residents who cannot afford that bill? Mr. Pelot asked if there are any grant funds out there under the Storm Water Phase III or the NPDES permits? Mrs. Carr stated she has been looking at the 319 Grants and she has discussed that with Mr. White. Mrs. Carr stated the problem is it is very difficult to get grant money for what is considered a private driveway culvert. However a 319 Grant to fix larger issues like water flowing issues is what we are looking into right now. Mr. Pelot asked about last week with the flooding from the storm sewers and Mrs. Carr stated that anything relating to public infrastructure is what we can look at with this grant. Mr. Pierson asked what are the City standards for pipe; and Mrs. Carr replied the minimum size is twelve (12) inches depending on what is connected to it. Mr. Pierson asked about the standards and what is required and what is not permitted, and Mr. White discussed the requested use of galvanized pipe versus PVC piping. Mr. Pelot added that the Director of Public Service had the authority to direct the size of pipe as needed according to Chapter 1028 of the City Code. Mr. Rodgers suggested we take a look at the whole City and figure out how to reroute the water and keep it out of the resident's homes. Mr. Rodgers asked if it was possible for the City to finance the cost for the culverts over a twelve (12) month period? Mr. Markey stated he would have to look into it. Mr. Rodgers stated he was at a resident's home on Wadsworth Road about her water issues and he had over a dozen mosquitoes in his truck, and she has been complaining about this for years and she has just about given up as many citizens do and we need to address the infrastructure. Mr. Rodgers stated when this Council was seated we had no road program in place, and we need to get something in place to address this flooding. Mr. Pierson asked if we have a working relationship with Barberton near the railroad and have we contacted Barberton asking them to be checking this area near Gardner Boulevard?

Mrs. Carr started our crews were directed on Thursday to go and physically check every storm sewer in our City for blockages, but in terms of working with Barberton she would need to verify. Ms. Whipkey stated that for the record, the lady on Wadsworth that Mr. Rodgers had referred to was the one she had already talked to Mrs. Carr about earlier and Mrs. Carr concurred. Mr. Rodgers interjected that she had been calling for years and Mrs. Carr responded she found out on Friday. Ms. Whipkey added that she also has the problem of the ditch being much lower than her culvert. Mr. Rodgers moved to begin a moratorium on covering ditches for twelve (12) months and Mr. Markey stated an ordinance would be required; there was no second to his motion or roll call. Mr. Pelot asked who would be looking over this issue within the next twelve (12) months and thoughts on new construction or culverts already in place so we need to be careful how we word it and leave latitude when it is needed. Mrs. Carr added that she believed Copley had language for the issue that could be useful. Mrs. Carr stated she was not sure and Mr. White would need to be involved with this and is on top of it now. Mr. Rodgers asked how many full time employees are in the Service Dept and Mrs. Carr replied eight (8) and maybe four (4) part time. Mr. Rodgers stated that he thought we were authorized for sixteen (16) and she thought it was more like eleven (11) or maybe twelve (12). Mrs. Carr stated she is all for having more employees and we really need to look at our staff and we need to buy equipment which is very expensive and sometimes it can be best to work with other communities and share or hire out. Some communities start at one end and work on cleaning out these problem areas and when that's done, the start all over again and repeat the process. Mrs. Carr stated we do not have a very good maintenance program as other communities do and are dealing with problems as we find them. There was discussion about the drainage that will be done for the widening of Cleveland-Massillon Road Mrs. Carr indicated there will be storm sewers for the drainage, and we are doing some upsizing there as well. Mr. White indicated that is all in the plans through ODOT. Ms. Whipkey asked about the work being done on Johnson Road right now and Mrs. Carr stated they are replacing culverts at the crossovers prior to the paving process. Mr. Pelot discussed the watershed we are working with now and asked if there is anything we can do working with the other communities to get an agreement to go in and buy the equipment needed and share this? Mrs. Carr stated once you are in a district you can do all sorts of things like that. Mrs. Carr stated that although it's not a popular statement to make but a lot of other communities charge a storm water fee to use for purchasing this expensive equipment and maintenance on storm sewers. Mr. Rodgers stated the problem is no one has ever mentioned a storm water fee and Mrs. Carr pointed out she did as soon as she got her to which Mr. Rodgers acknowledged she had done so. Mr. Rodgers discussed controlling the flooding with a storm water fee per month and Mrs. Carr stated that she believes that Stow is the highest at \$6.00 a month with some cities paying \$2.00 per month. Mr. Rodgers stated he is working with a development on Rich Road and when someone builds a home we have to look at retention ponds and this needs to be addressed. Mrs. Carr stated that when the zoning code was defeated by the voters this issue went down with it. Mr. Rodgers stated we need to take another look at that. Mr. Rodgers discussed the church on Wadsworth Road had a retention pond then covered it up and now they have opened that back up, but the water is running in the opposite direction it should; the increase to the parking lot has caused more water to flow and it has to be taken back to where it was. Mrs. Carr stated we do not disagree and Mr. White is schedule to go back out there and re-inspect this area. Mr. Rodgers moved to allow the public to speak now on this subject, seconded by Ms. Whipkey.

Roll Call: Yeas: Rodgers, Whipkey, Pelot, Pierson, Tousley
Nays: None

Motion passed 5-0.

Mr. Jack Gainer, 3920 Wadsworth Road, Norton, Ohio, stated he has put in a specific size for his culvert and his was eighteen (18) inches in the front and about fifteen (15) inches on the side with venting and basins, he believed every fifty (50) feet, and it was in writing either by ordinance by the City or something in writing in the Service Department and this needs to be followed. Mr. Gainer stated he paid for the culvert, paid a permit to install that culvert. The City came out, dug the ditch, laid the pipe and covered it up. He was not charged any additional fees for these services. Mr. Gainer stated he agreed an open ditch provides a better source for the water to go through. Mr. Gainer stated there was such an odor coming into his neighborhood; the ditches were green and full of crap during the summer. Mr. Gainer had concerns with not allowing the covering of ditches, as the areas where septic systems are still there, this can be an issue and some areas have very nasty ditches, but felt they should be done correctly. Mr. Gainer stated at one time he dropped his tractor into the ditches because it was so deep. Mr. Gainer stated back then the city encouraged the residents to cover their ditches due to the odors and is why it was done at no cost. Mr. Gainer stated he wants to make an appointment with Mrs. Carr regarding the water in his area from up Mr. Rodgers way.

Mr. Terry Parker, 3463 Fairway Drive, Norton, Ohio stated his parcel runs parallel to I-76 and he had sent some emails to Mr. Rodgers that apparently did not go through. He has about six (6) hours of video from the last three years depicting his flooding that he wanted to share with Council. Mr. Parker stated that he bought his home in 2002 as a fixer upper. Mr. Rodgers asked Billy to get the video from Mr. Parker so Council could view it. Up until the last three years he had never had an issue with flooding on his property and had contacted Ernie, Ted, and Russ Arters and that the water has been coming into his home for the past three years with all coming out to his property at different times. For three years he had been trying to get someone to come out and fix it. We had a culvert put in and we paid the proper fees and passed the inspections as well as the ditches being cleaned out. Mr. Parker stated that he has checked with his neighbors and felt some culverts were put in without any permits or inspections by the City as he has not seen any permits. Mrs. Carr stated she would look into that and verify one way or another. Mr. Pelot asked what Ted and the others had said and Mr. Parker indicated he was told his culverts are working fine it's the neighbors that are causing the issues. Mr. Parker indicated he has a twelve (12) inch drain in the middle of the cement in his driveway at the suggestion of Mr. Brogan.

Mr. Paul Reese, 4052 Wadsworth Road, Norton, Ohio, stated his problem is with Our Fathers House and they told the Planning Commission they had room for twenty-five (25) to maybe thirty (30) parking spaces and if they exceed that they would bus the extras in that are coming to church. (54:59) Mr. Reese stated that now the City has turned around and let them expand the parking lot, removed the grass and creates more problems with more water flooding and running east rather than west.

Mr. Reese stated the pipe from the church to his yard is 18 or 20 inches in diameter so he had a back hoe come in and clear a ditch maybe 100 yards to keep the water from coming into his basement. Mr. Reese asked why the City allowed this to happen, referring to the residential house property being used for additional parking, and wanted someone to take a look at this. If that is the case then he should be allowed to park as many cars that he would just do that and start charging a fee. Mr. Rodgers stated Mr. White was going to look into it.

At 8:13 PM Mr. Rodgers temporarily adjourned the Council meeting due to receiving notice that we are having technical issues with the sound.

8:17 PM Mr. Rodgers reconvened the meeting back to session.

Mr. Rodgers moved to add Ord. #40-2015 to tonight's agenda, seconded by Ms. Whipkey.

Roll Call: Yeas: Rodgers, Whipkey, Pelot, Pierson, Tousley
 Nays: None

Motion passed 5-0.

COMMUNICATIONS FROM THE PUBLIC-Agenda and Non-Agenda Items

Mr. William Paluch, 3740 Shellhart Road, Norton, Ohio, discussed the recent flooding problems at the corners of Shellhart and Greenwich Road. Mr. Paluch asked if there are culverts on Greenwich Road going north and south and Mr. Rodgers replied yes. Mr. Paluch stated this was not sufficient to handle the water running down here and was across the road on top. Mr. Paluch stated it seems to him this community needs a backhoe really bad and Mrs. Carr replied we do have one backhoe, but we don't have a Vactor. Mr. Paluch suggested we may need a couple to get the work done. He would hate to see the roads in two years. Mr. Paluch asked how are we going to deal with these issues are we just going to let things slide for two (2) years and just suffer with it? It's terrible and he believes it is poor leadership.

David Houpt, 6112 S. Oval Drive, New Franklin, Ohio, stated he talked last week about the schools and brought up his own presentation in a flip board about what is going on with the Norton School Board. Mr. Houpt offered his determination as to the detailed events that lead up to this point as he did not believe Council was getting the full picture of what he called ContractGate. Mr. Houpt stated they were circumventing the will of the people by the present board making decisions that should have been left to the next board. Mr. Houpt stated there were many people involved in this pointing out: Mr. Dunn had said the State Board had said to offer the contracts early, but that was contradictory to what the State Board told him (Mr. Houpt); Mrs. Hagenbush, her job is to call time at the five minute mark, yet let Mrs. Jeffries talk for 7 ½ minutes; Mrs. Bennett's lack of control on the meeting by allowing the teachers to boo and hiss at the meeting; and added the teachers came in to support the administrators getting raises. Mrs. Jefferies who spoke last week and said she was a Union representative when she is not. Ms. Whipkey called a point of order and asked for the speaker to refrain from using names, particularly private citizens. Mr. Houpt continued with his presentation.

Mr. Houpt discussed the abuse of the Board and noted that for ten (10) years he flew for the US Air Force Auxiliary and went through an exercise in the desert training and what he learned was the fact that two (2) heads are better than one (1) and five (5) are better than none. If we all think alike then some are not thinking. Last week the same speaker stated there were no raises and he had asked for a copy of the contract and all he got was a cover page with no monies being shown, but he was told there were step raises so there were raises. Mr. Rodgers stated none were mentioned in the information we received. Ms. Whipkey clarified that the City did receive the documents and there was no indication of raises being issued. Ms. Whipkey noted there were references to step raises, they were not new and ran until 2016. Mr. Houpt said okay, his point was he could not get the information from them and they were not being forthwith. Mr. Houpt discussed the school being in financial difficulty first in 1 ½ years, then it was five years and questioned how can we get the truth? This would affect our City and how can we deal with these people when we cannot get straight answers. Mr. Houpt offered his documentation and video as his proof or verification. Mr. Pierson stated today he received all emails between the School Board, Administrators, certain teachers, and etc. in the school district from May 11th until current, adding he believed members of the press had received it as well, and would provide copies to the Council before having the vote ~~and the media~~. Mr. Pierson stated he believed everything Mr. Houpt was saying, and based on what he read in the emails and comments from the School Board, he would not be voting for this. Mr. Pierson requested Mr. Messner ask for a balance sheet on their financial situation before this goes forward. Mr. Houpt stated he has seen these emails and that two of the people ~~they~~ seem to be slapping each other on the back and that's ok that they can agree. Mr. Houpt discussed his daughter attending Bowling Green and was a B + as a Norton graduate and she was told that she needs to take remedial English class again as three others that went with her were told also. This is not an isolated situation just in Norton and even a Valedictorian at Ohio State who is from a school about 25 miles east of us so had to take remedial English and math. Mr. Markey stated the original contact and the salary would stay in place and as was given for the 2015 and 2016 unless another vote by the Board. Ms. Whipkey stated there was nothing going forward into 2016 and the raises were frozen. Mr. Rodgers stated that since Mr. Houpt had mentioned Mrs. Jeffries and had spoken over the 5 minute limit, to which Mrs. Richards confirmed it was 12 minutes with responses, he would allow her to speak. Ms. Whipkey clarified she believed the treasurer had received a 1% raise. Mr. Rodgers inquired if step raises were given as it appears step raises were given and Mr. Markey responded that it looked like step raises were already in place, but there were no additional raises. Mrs. Jeffries stated she just came from the School Board Meeting and they are perplexed why the City Council is discussing their Board issues. There is a great deal of anxiety for Council talking about things that don't seem to be city business. Mr. Rodgers stated it became our business when the School came to the City asking for our assistance to fund this officer. Mrs. Jeffries suggested the Council President misunderstood her as she was not being accusatory, but that there be a meaningful dialogue with both parties and you certainly do have a right to talk about that subject. Mr. Pierson read an email from Board Pat Santeili dated June 11 that stated that he felt no good things would come from these meetings; one from Mr. Dunn stating that he is not interested in discussing SROs on the 22nd. Mr. Pierson suggested a town hall meeting and discussing this in detail with all of the community. Mrs. Jeffries stated that some of the members felt there was some disparity against the members in the press.

Mrs. Jeffries had stated she had expressed she represented the union and is not currently an USPSS member, although she had held an office in the past, and she was asked to address the negative comments made as she did at the meeting last meeting. Mr. Rodgers asked if there were ever step raises, and Mrs. Jeffries stated she could not speak on matters she does not have all facts although she believes there were no step raises and had urged anyone interested to contact Mrs. Hagenbush. Mr. Rodgers asked if this Treasure got a \$10,000.00 raise this year and Mrs. Jeffries replied yes, but were comparing apples and oranges there as we are talking teachers and administrative salaries and she does not fall into that category. Mr. Rodgers stated that Council has offered to meet with the Board and in the evidence in these emails they are not interested. Mr. Rodgers asked if the Board has voted on their support for the SRO and Mrs. Jeffries stated that a vote was taken tonight on and that she is not in the authority to state the outcome of that vote that should come from the Board, particularly as she is officially retired from Norton Schools now. Mr. Pierson stated one thing that was interesting about the emails and a lot of the people corresponding back and forth is that many do not live in the City of Norton and won't be paying school taxes. Mrs. Jeffries assured Mr. Pierson that she paid taxes as not only a teacher for 37 years, but also as a resident of Norton since 1968. Mr. Pierson pointed out that there is one on the Board that does not even live in Norton, he lives in Doylestown. Mrs. Jeffries stated the Board stated tonight they feel they have repeatedly been trashed in the papers. Ms. Whipkey asked if the vote for the school board was for a safety director or an SRO and Mrs. Jeffries replied SRO.

CONSIDERATION OF MINUTES

Minutes of the May 18, 2015 Committee Work Session, approved as submitted

Minutes of the May 26, 2015 Regular Council Meeting, approved as submitted

Minutes of the June 8, 2015 Regular Council Meeting-*Deferred to 7-13-15*

Minutes of the June 15, 2015 Committee Work Session-*Deferred to 7-13-15*

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS

PUBLIC HEARINGS-None

INTRODUCTION OF NEW LEGISLATION

RES #39-2015

Mr. Rodgers offered Res. #39-2015 for its first reading and asked the Clerk to read it:

**A RESOLUTION REQUESTING THE UNITED STATES POSTAL SERVICE TO
RESTORE CERTIFIED MAIL PICK-UP FOR CERTIFIED MAIL DELIVERED TO
ADDRESSES WITHIN THE CITY TO THE NORTON POST OFFICE.**

First reading only.

**Added During Committee of the Whole

ORD #40-2015

Mr. Rodgers offered Ord. #40-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE AN ADVANCE FOR CALENDAR YEAR 2015 FROM THE GENERAL FUND INTO THE STATE HIGHWAY FUND, AND DECLARING AN EMERGENCY.

Mr. Rodgers stated this would be a first reading only. Mr. Tousley asked Mr. Messner to explain this again as most of the public was not here at the previous meeting.

Mr. Messner stated there is a shortage in this fund and we are running about a \$22,000.00 in deficit due to extra salt purchases and the State Auditors stated we should not run a negative balance for more than one month.

Mr. Messner stated he would move the \$36,000.00 that he is requesting to move back into the advance account before the end of year. Mr. Rodgers indicated we would waive the third reading and vote at the July 13, 2015 Council meeting.

INTRODUCTION OF PRIOR LEGISLATION

ORD #36-2015

Mr. Pelot offered Ord. #36-2015 for its third reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A MEMORANDUM OF UNDERSTANDING WITH THE NORTON CITY SCHOOL DISTRICT TO ESTABLISH A SCHOOL RESOURCE OFFICER PROGRAM, AND DECLARING AN EMERGENCY.

Mr. Pelot stated this is a third reading only-fourth reading & vote will occur on July 13, 2015.

ORD #37-2015

Mr. Rodgers offered Ord. #37-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER AN AGREEMENT WITH THE SOUTHWEST SUMMIT COUNCIL OF GOVERNMENTS TO PROVIDE INFORMATION TECHNOLOGY SERVICES TO THE CITY, AND DECLARING AN EMERGENCY.

Second reading only. Mr. Zita stated the other communities were encouraging the City of Norton to waive and adopt this evening and it was hoped that this would be in place by July 1, 2015 for the IT services. Mr. Rodgers questioned whether Council was made aware of this and was reminded that it was discussed at the Finance Committee meeting held earlier in the evening.

Mr. Rodgers moved to waive the third reading, seconded by Mr. Pelot.

Roll Call: Yeas: Rodgers, Pelot, Pierson, Tousley, Whipkey
 Nays: None

Motion passed 5-0.

Mr. Rodgers moved to adopt Ord. #37-2015, seconded by Mr. Pelot.

Roll Call: Yeas: Rodgers, Pelot, Pierson, Tousley, Whipkey
 Nays: None

Motion passed 5-0.

Mr. Rodgers stated this is to share the IT services with Barberton and Copley and they would like to have it in effect by July 1, 2015. Mayor Zita added that Barberton and Copley have already approved their legislation.

ORD #38-2015

Mr. Rodgers offered Ord. #38-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO ENTER INTO AN AGREEMENT WITH ROGER A. SOURS CO., IN CONNECTION WITH REVIEW APPRAISALS FOR THE WIDENING OF CLEVELAND-MASSILLON ROAD, AND DECLARING AN EMERGENCY.

Second reading only.

UNFINISHED BUSINESS

Ms. Whipkey asked if we have anything further on the Brentwood treatment and Mrs. Carr stated she spoke with Mr. Stender from Barberton recently and they are looking to relocate their equipment and should soon be on track shortly to cap the final well and then onto disposal of the property.

Mr. Rodgers stated he spoke with Mrs. Carr and Mr. McGlone after receiving a phone call from Mr. John Van Hyning- a retired police officer from Rittman and he had suggested a solution on the SRO position. In Rittman they took one active officer and placed them in the school for nine (9) months and replaced that full time officer with two (2) part time officers and the school paid the part timers salary. If we don't have to hire another full time, we have a tremendous savings in pensions, and health care. Mr. Rodgers stated he felt this is a workable solution and has discussed this with Mr. McGlone and he will be thinking about this. Ms. Whipkey clarified the hours worked and the salary, and the school would reimburse the part timers replacing that full time position. Ms. Whipkey pointed out that we would still be paying the full time officer and Mr. Rodgers stated we would be paying him and his benefits anyhow. Ms. Whipkey responded that we would not be paying all his salary and benefits as that was to be split with them as well. Ms. Whipkey stated that just hearing about this now does not sound like a bad idea; she just wants to make sure she knows exactly what he is telling me. Mr. Rodgers stated he was told by Ms. Whipkey, or someone on Council told him, that you have the four (4) votes do to this; he got that as to what direction this is going and asked what is wrong with saving the City money?

Ms. Whipkey stated she had just said she did not think it was a terribly bad idea, but she wants to make sure she has it down pay and it is worth considering. Did that answer Mr. Rodgers' question? Mr. Rodgers responded it wasn't just directed at Ms. Whipkey but to everyone and she should not take it as an attack on her, but she had answered his question to a degree. Ms. Whipkey further elaborated as why she would like to see an officer in the school as she understands we have an officer twice a day and ten (10) to twelve (12) weeks out of the year. When they are under a lock down at the school, they are there too and we are doing all that and no cost return to the City. Ms. Whipkey stated she would feel better having one of our own that is accountable to us; she likes this idea but would like the time to think about it. Mr. Rodgers stated this task is being done now within the budget confines and now we are going to add another 30-40% on top of that. Ms. Whipkey disagreed. Mr. Pierson stated that since the school gets the bulk of the tax dollars, they should do a 1099 and handle that on their own it that person is all their responsibility not ours. Mr. Pierson stated he did not want an educator telling a police officer how to do their job. Mr. Pierson stated if someone wants to attack the school that's going to happen. Mr. Tousley stated Mr. Van Hyning's proposal does make some sense to him and the costs savings seem real and seems to be cheaper than what the school was originally proposing. Mr. Rodgers stated this needs to be discussed before we fast track this on July 13, 2015 and thanked Mr. Van Hyning for his suggestion, gave him all the credit for the idea, and that he came to him with all of that information. Mr. Rodgers stated that a lot of communities that already have SRO's are looking at passing levies to continue to pay for them. Mr. Rodgers stated we could use this savings to help the residents to deal with our flooding and the conditions of our roads. Mr. Rodgers stated that reckless spending would make us go to the people for a levy for something down the road. Mr. Pierson suggested Mr. Rodgers speak to the New Franklin SRO and how they put that to a levy vote. Mr. Rodgers stated they are having problems in New Franklin, but we don't have to target cities. Mr. Pelot asked about the two (2) part time officers being paid by the school and Mr. Rodgers explained the details again. The point was it got the job done and we should look at it here. Ms. Whipkey asked Mr. Markey or Mrs. Carr if there is anything we need to do or has the Chief commented on this? Mrs. Carr stated we would need to carefully look at the contract and the details as how the part time officers would be counted. Mr. Rodgers asked Mr. Markey where are we at with the law suit with officer Matheny? If that goes to arbitration which it could and he would win what are we going to be faced with? Mr. Markey refused to discuss this matter as this belongs in Executive Session not on Council floor. Mrs. Carr added that nothing has changed, but it should not be discussed publicly. Mr. Rodgers stated that he wants the people and Council to understand it. Mr. Rodgers stated the same thing happened in Akron with a retired Firefighter and the lawsuit went on for several years. When it was all over he not only got his job back but he got all of the back pay to the tune of over a quarter of a million dollars (\$250,000.00) and that is fact. Mr. Pierson asked again how was it that the School came to us with this in the first place; was it because they could not afford it? Mrs. Carr stated she explained this was all explained to everyone last week and Mr. Pierson asked to have it explained again due to the emails. Mrs. Carr stated she did not know what emails he was referring to and Mr. Pierson said he would supply them a copy. Mrs. Carr explained that they came to us because in the typical world of SRO's it's usually a cooperative effort by both parties and usually at a 50/50 split and to see if we wanted to be involved. Mrs. Carr added she had spoken to some of the same cities as Mr. Rodgers and their Police Chiefs were wondering why we didn't jump on the split proposed as it was a great deal.

Mr. Pelot reminded the school is paying for that officer for the entire time he is in the school and we would be paying only for the time that officer is working for us. Mr. Rodgers stated the two part time officers could be used in the summer months to cover for vacations, the money we are saving of over \$104,000.00 would be used elsewhere. Mr. Pelot asked if we could give this officer an SRO title so we could apply for grants to help offset the costs. Mrs. Carr stated we did not have grant money last year because we did not apply. Mr. Rodgers stated we need to keep that grant money within the City. Mr. Rodgers indicated he would provide Council with the emails that prove this was discussed with some Council and Administration as far back as 2012 for the next meeting and this City stated we could not afford it. Ms. Whipkey stated she did not recall any discussion reaching the Council floor and Mr. Rodgers stated his information says Ms. Whipkey, Mr. Pelot, and Mr. McGlone were aware of it as the only three left from that Council as well as the Mayor and Mr. Ryland. Ms. Whipkey asked what Mr. Rodgers' information would be and he stated he would bring it to the next meeting.

NEW BUSINESS

None

PUBLIC SERVICE ANNOUNCEMENTS

Mayor Zita read several announcements. Mr. Rodgers asked if the County does spraying for mosquitoes as the residents are paying for this. Ms. Whipkey stated they do not have line item for that and they take it out of the general fund. Mr. Rodgers asked if we couldn't have two and Ms. Whipkey stated spraying is not what the County actually does. Mr. Rodgers asked if we couldn't ask them to come also and Ms. Whipkey stated she was inclined to believe it would need coordinated so as not to have a possible conflict between the two chemicals.

PUBLIC UPDATES

Mr. Rodgers reminded everyone there is no meeting next Monday June 29, 2015 as this is a 5th Monday of the month.

ADJOURN

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 9:22 PM.

Rick Rodgers, 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 July 13, 2015.

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.