



## COMMITTEE WORK SESSION DECEMBER 7, 2015

### Committee Members Present:

Scott Pelot  
Dennis McGlone  
Dennis Pierson  
Paul Tousley  
Charlotte Whipkey  
Rick Rodgers

### Also Present:

Mayor Mike Zita  
Valerie Wax Carr-Excused  
Ron Messner  
Justin Markey  
Karla Richards

The Committee Work Session convened on Monday, December 7, 2015 at 7:02 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:**

#### **2016 Budget-Final Questions & Clean Up**

Mr. Rodgers turned this discussion over to Mr. Messner for the details. Mr. Messner explained that Council received new packets of information from him this evening relating to the Enterprise Funds, Community Development Department since the Administration has pulled their request to fund this department at this time. Mr. Messner stated in the Fire Dept, #51 A and he prepared a new packet of information to help explain the savings incurred in that department (see attached). Mr. Rodgers asked why the Community Development Director on page #10, which was pulled and Mr. Messner stated that there appeared to be no interest on this and Mrs. Carr requested this be pulled out of next year's budget so the overall budget was reduced. Ms. Whipkey discussed the plans with InSite Development for a planner and Mr. Messner stated that they were looking to hire a planning developer position and if they do we could use them in the future. Mr. Pelot asked who is the interim and Mr. Messner stated currently we are using InSite for some services and that we do occasionally use D. B. Hart for other services. Ms. Whipkey stated she believed that D. B. Hart was mostly involved in the Cleve-Mass. Road widening project. Mr. Tousley asked Mr. Messner to review the follow up sheets explaining the Fire Dept. budget.

Mr. Messner stated at the last meeting there were questions and some confusion with the transition of part time to full employees and the new numbers are ten (10) full time and twenty (22) part-timers. Mr. Messner discussed the overtime hours in 2014 there were 660.25 hours worked and in 2015 to date it's 117.50 of total overtime hours worked. Mr. Messner noted the employee changes were not made until June 1, of 2015, but a concerted effort was made to control overtime hours and it resulted in a tremendous savings. Mr. Pierson asked how much of the difference was converted over into comp time and Mr. Messner stated he did not calculate this. Mr. Pierson stated that is an intricate detail as it just pushes it down the road as in the front side it may appear as a savings but in the long run it may cost more. Mr. Messner reminded that there is a limit of 120 hours maximum for comp time and is paid out when they request it back and could be just as straight time paid to them not necessarily as overtime. Mr. Pierson stated it appears to be manipulating the numbers because if you are missing a body to work you will be filling this position. Mr. Messner responded he understood what Mr. Pierson was saying, but did not believe that to be the case and he would check the overtime numbers for 2014 and 2015. Mr. Pierson stated he wanted to see the comp time offered between the two (2) years. There was discussion to call volumes and Mr. Rodgers stated that call volume does not affect the over time or comp hours. Mr. Messner stated we have made the promise to hold down the overtime hours and we have done everything we can to meet that. Mr. Rodgers stated the question is really how many comp time hours were given out since we went to full time in lieu of overtime; whether we are realizing the savings that we sold the public on is the issue. Mr. Messner stated that would be from approximately the first of June this year and he would look this up and email Council as soon as possible rather than wait till next week. Ms. Whipkey asked if the part timers get comp time and Mr. Messner replied no. Mr. Tousley stated his biggest concern is the health care cost and why such an increase from years past. Mr. Messner noted that health care costs have gone up 4.8% for next year in addition to the flipping of the employees over from part-time to full time. Mr. Messner discussed the savings in Fund 105 of \$147,667.00 and in Fund 106 the savings was \$49,855.00 due to these payroll changes and full time positions, in spite of various increases in health care and other lines. We have actually surpassed the Chiefs estimated savings of \$156,354.00 by \$41,198.00. Mr. Messner noted Chief Schultz just sent him a text that the overtime hours are down 540 hours below on overtime from 2014 to date; but that does not answer the comp time question by Mr. Pierson. Mr. Tousley asked again about the increase from 2014 of \$1 million to up to \$1.5 million in 2016; and he questioned why is there such a jump-what has changed? Mr. Messner noted if you look at the actual salary line for 2014 it was \$814,000.00 and if you use that same number at the 2016 contract rates; that \$814,000.00 will go to \$1,077,000.00 if we had stayed at the status quo of three (3) full-time and thirty-two (32) part-time. But we have requested \$930,000.00 for 2016 as opposed to the one million plus. Ms. Whipkey clarified that we originally had three (3) full-time in 2014 and we added ten (10) new ones so we really have a total of thirteen (13) full-time now, and Mr. Messner concurred that Ms. Whipkey was correct. Mr. Messner pointed out that we are running sixty-five (65) six (6) hour shifts per week while dealing with the Affordable Care Act. Mr. Messner stated the key with the part timers is due to the Health Care Act and that we have to keep them below the twenty-nine (29) hours or we have to offer them the full time insurance package.

Mr. Messner stated he purposely withheld the Exhibit A until the discussions tonight and it will be ready for next week. Mr. Rodgers moved to add this to Council's next agenda, seconded by Mr. Pelot.

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

Motion passed 6-0.

**Legal Defender Agreement for 2016**

Mr. Rodgers stated this was discussed last week and moved to add this to Council's next agenda, seconded by Ms. Whipkey

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

Motion passed 6-0.

**AFSCME-Service Union Contract**

Mr. Tousley stated we discussed this last week also and stated the tentative agreement is for increases of 1.5% in 2016 and 2.0% in 2017. Mr. Tousley moved to add this to Council's next agenda, seconded by Mr. Rodgers.

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

Motion passed 6-0.

**Sale of Municipal Property-Brentwood**

Ms. Whipkey stated this is for Ord. #83-2015 and it is to sell the Brentwood property and this is needed in order to go out for bids. Ms. Whipkey moved to place this on Council's next agenda, seconded by Mr. Rodgers.

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

Motion passed 6-0.

**Food Ordinance**

Mr. Rodgers noted this is for the annual food ordinance and he noted that there was one minor change. Mrs. Richards explained that instead of renewing this every year the cost will remain the same until Council amends it in the future with another ordinance. Mr. Rodgers moved to add this to Council's next agenda, seconded by Ms. Whipkey.

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

Motion passed 6-0.

Advancement of Funds from Summit County

Mr. Rodgers noted this is to receive tax payments from the County and is boiler plate legislation. Mr. Rodgers moved to add this to Council's next agenda, seconded by Ms. Whipkey.

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

Motion passed 6-0.

AFSCME Dental Plan Renewal

Mr. Rodgers noted this was needed to renew the plan and was late in coming to Council due to the changes in the fire department. Mr. Messner noted that there will be a Board of Control meeting next week, sometime prior to the Council meeting. Mr. Rodgers moved to add this to Council's next agenda, seconded by Ms. Whipkey.

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

Motion passed 6-0.

Part-time Police Officer Salaries

Mr. Tousley noted that Council had met last week in Exe. Session and came up with some ranges for the few part timers we have, and they will be receiving an increase of 1.25% in 2014 and 1% in 2015 and going forward every raise the full time union receives would be mirrored to the part-timers. This basically works out to about a \$0.96 per hour raise for these part timers. Mr. McGlone clarified that the \$0.96 was the total for both years and Mr. Tousley concurred. Mr. Tousley moved to add this to Council's next agenda, seconded by Ms. Whipkey.

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

Motion passed 6-0.

Unfinished Business:

Mr. Rodgers asked Mr. Markey to explain his handouts (see attached). Mr. Markey stated Council had asked for a breakdown of what were to happen if there was no deal with Barberton going forward with sewers. The first three pages in a landscape format are without Barberton. The second three pages are the proposal prepared with the original MOU and has been simplified somewhat and what the assessment would look like for Nash Heights having to pay their own way with no future growth of 1,400 new customers as was planned in the original.

Mr. Markey discussed the line #51 in all pages shows you the assessment levels that can be sustained under the various scenarios. The gravity is about \$9,750.00 at thirty (30) years and vacuum at a twenty (20) year is at \$11,500.00. No matter what loan period we have for the pump stations will all be at twenty (20) years whether we go with vacuum or gravity. On the pump station should read \$35,329.00 and his original have a typo there on the gravity page. Mr. Rodgers asked where the City share is to come from? Mr. Markey stated that is the question. Mr. Tousley stated that annual City assessment figure is the number that we have to come up with and Mr. Markey concurred. Discussing the various assessment level pages, Mr. Markey explained the first boxed column was the annual payment to be made, the next two (2) columns are the resident's yearly assessments and showing the annual cost on a monthly basis. The third column shows the City's subsidy amounts with the first figure being per house and the second figure is per year. Mr. McGlone asked if this cost is based on per \$100,000.00 valued home and Mr. Markey replied no, it's a base cost annually for one benefit unit and is not based on the value of the home. Ms. Whipkey stated so that \$775.00 figure would be divided in half for the taxes and Mr. Markey concurred. Mr. Rodgers asked about the surcharges collected just for Nash Heights per household and asked Mr. Markey if he had a ball park figure on that? Mr. Markey stated he did not recall that amount exactly but if you look at line #44—that is the surcharge percentages. Mr. Markey noted that is for Nash Heights plus adding the natural growth of about ten (10) new customers per year. Mr. Rodgers stated that we would have to divide that by 507 (new connections). Mr. Markey stated that the surcharge amount would be either flat rate or metered. Mr. Pierson asked about pulling the pump stations out and Mr. Markey replied that is in Fund 127, which will free up the roll back funds. Mr. Tousley asked about the earliest time for payments for the residents and originally it was projected to be in 2018 and now it looks like it's more like 2019. Mr. Markey stated your surcharge and tap in fee money, which is in the sewer fund, can be used to pay for the pump stations. Mr. Pierson stated that alone would wipe out about \$350,000.00 to \$400,000.00 right off of the top. Mr. Markey concurred that you would want to use as much liberal interpretations as possible. Mr. Tousley asked if the roll back money were to be used that would stop in the year 2032 and we would have to actually double these figures and Mr. Markey concurred that you would have to make sure you had enough on deposit to pay for the project when the roll back quit collecting. Mr. Pierson stated that this could not be repealed once it's adopted, but could be extended. Mr. Markey concurred that Council could amend it whenever they chose, but the party being repaid would not like it to be revoked. Mr. Rodgers stated we really need to get a handle on these surcharge amounts before we can really address this. Mr. Markey stated the model had indicated the length of the loan to 2032 and that you would have to bank more each year to cover the loans and Mr. Messner agreed. Mr. Rodgers stated there would be a short fall somewhere in the middle years but we gain this back in the end and Mr. Markey stated that is under the Barberton models. But what we are talking about is the idea that you will only have any income until the year 2032 so you have to save more between now and 2032. Mr. Markey stated that what Mr. Tousley was asking is how much you will have to save each year.

Mr. Rodgers discussed that if the true use or intent of the tax credit roll back legislation was to be used for sewers and extensions for the City and that there really could be is no end date; he did not believe there was any plan in place to supply the necessary funding to build out the City, so if you are going to use that fund for sewers and extensions we would have to look at extending that date. Mr. Pelot stated what he recalled being discussed with the tax credit roll back was to look at various trunk lines in various parts of the City to attract various businesses in to those areas. It was not intended to fund the entire city for a complete build out of sewers. We wanted to see what the City would look like throughout with sewers and to get a potential cost. Mr. Pierson stated the language specifically states it would be used for the use of development of water, sewer, etc. It does not spell out for any specific project type. Mr. Pelot concurred and pointed out he was only stating on the discussion. Mayor Zita stated it also was discussed that any upsizing of a trunk line was to be paid from the tax credit roll back. If it was an eight (8) inch line, that everyone paid for an eight (8) inch line, then any upsizing on a trunk line that was to be paid for by the tax credit roll back fund. Mr. Pelot concurred and the point of upsizing the line was to allow for future benefits of that line. Mr. Rodgers asked if Mayor Zita and Mr. Pelot were familiar with the JEDD because the way he understood the agreement; Barberton was to pay for the cost of upsizing so why would we dedicate our tax dollars to do that? Mr. Pelot and Mayor Zita both disagreed and that it applies to only areas within the JEDD areas. Mr. Rodgers stated that was not his understanding and asked if you were not going to bring sewers elsewhere, then where would you need to upsize lines in new areas if there are no lines there now? Mr. Pelot stated that using west of St. Rt. 21 as an example; if we went to St. Rt. 21 with an eight (8) inch line and we want to plan for future growth west, we would upsize that to accommodate any future growth. Mr. Pierson stated he would have to do some research because the homeowner that has a sewer line under 8" in diameter then that burden would fall on the property owner and the City did not have to pay for anything period. Going back three (3) years or so, that was one of the arguments going back for the size of the line and being undersized put the burden on the taxpayer and was to save the City money. Mr. Rodgers stated there is a discrepancy with how those funds are to be used and that some of us and the public believe they were not to be used specifically for commercial development. Mr. Markey noted the language in the use of the Fund 128 account is broad. Mr. Rodgers stated we were back as to how we were going to pay the City's share. Mr. Pierson suggested we have time to review this until next week, and we have more background and more time to digest this new information we just received. Ms. Whipkey asked what happens if we don't give something to the EPA by the 15<sup>th</sup>? Mr. Markey stated it would be turned over to the Attorney General's office for enforcement and a case filed against the City and there could be fines and you would be ordered to start the project. Ms. Whipkey asked what happens if we are ordered to start the project and we have no Resolutions of Necessity for the process in place? Mr. Markey stated the Resolutions of Necessity, Ordinance to proceed, Assessing Ordinance are all required to be followed for the assessment process. In order to do that you have to have your Resolution of Necessity and the Ordinance to proceed passed before you can sign a contract and begin the construction. If you do not have those two (2) pieces of legislation done and you start construction, then you will not be able to do the project as an assessed project.

Ms. Whipkey asked then what would happen and Mr. Markey stated that he could not predict what the Courts would order, perhaps they would dictate a date of completion and the City would have to figure out how to get into compliance by that certain date. Ms. Whipkey stated then that would mean the total bill would fall back on the entire city because you do not have the assessment process already in place before the construction begins and Mr. Markey concurred. Ms. Whipkey stated if that were to take place, then we have no choice but to use the tax credit roll back money. Mr. Markey stated you can also use the General Fund to offset the City's costs as it can be used for any purpose, but roll back money is flexible enough to be used for that project as well. Ms. Whipkey stated if we did use General Fund money that we would have little left for a road program or anything else. Mr. Markey stated we are now going over those dates and by the time you pass a Resolution of Necessity once it's acceptable with the EPA, you would have to have that all figured out. Mr. Pelot stated the cost of what the City would pay for sewers went to the ballot twice; once for \$3,000.00 and a second time of \$5,000.00 as a maximum on what the residents would pay which was turned down by the voters both times. Mr. Pierson noted the first one failed by only 51 votes and certainly was no mandate. Ms. Whipkey asked if we need to do something by next Tuesday to inform the EPA? Mr. Markey stated you do not have to have exactly how it will be paid for by next Tuesday, but a new schedule would need to be provided to the EPA, which is being worked on now, and that you would have to have your assessing process ready to move forward with dates. Mr. Rodgers stated he looked at the line #44-Surcharges and took half of that to get the Norton share and divided that half by the 507 new customers and arrived at \$2,562.00 each multiply that time the 287 projected Nash Heights customers, that's about \$735,294.00 over that time line. Mr. Markey stated that may be right, however he would have to take a hard look at that in detail. Mr. Rodgers asked if that figure was subtracted from the property owner loan amount and Mr. Markey responded it was different if we went with Barberton. There was discussion about the uses of the surcharge funds and Mr. Markey stated that would be used to operate and maintain the system with some capital component to it under our sewer fund and according to State law. You are not paying for residents to get new sewer lines; you would be paying for any capital replacements and maintenance when one pays a surcharge. You are not paying for someone else to get a new sewer system. Mr. Rodgers stated if you go into the Barberton deal we can use that money to pay for it all. Mr. Pierson argued that what you are saying is contradicting and is what the Adair case is based on the 27.5 % Norton collects. Mr. Markey stated under the Barberton proposal Norton would no longer collect a surcharge at all Barberton would be taking over so that money would go to Barberton and under the MOU Barberton agreed to collect and use that money for the benefit of Norton. Ms. Whipkey stated that come January 1, 2016 the deal with County and Barberton would be finalized. Ms. Whipkey asked about the talk of some kind of a cap of \$700,000.00 that Barberton was going to send back to Norton? Mr. Markey explained that all of the surcharge money comes back to Norton and that cap was on Barberton's base rate for new customers because we have a rate plus 50%; so Norton gets the surcharge plus the \$700,000.00 from Barberton's base rate on new customers. Mayor Zita stated that deal was originally for 1,400 customers, and now that amount would change because we are not using the 1,400 customers.

Mr. Markey stated he believed that deal is there no matter how many new customers are added and concurred with the Mayor on the \$700,000.00 amount changing as it was based on the user fees over a ten year period; if there are less users, there is less revenue. Mr. Rodgers cautioned the use of the word give or gift coming from Barberton, as this is misleading. Mr. Markey asked if they agreed to use the money was better and Mr. Rodgers responded they agreed to use the money we were giving them to build lines in Norton to increase their customer tax base and there were no gifts coming our way. Mr. Pierson stated that with the revenue stream you have more customers and the more people you have in it, the more affordable it becomes; you still have to have the customer base to make the model work. Mr. Markey concurred but the model you got today can still work; it's only a matter of what assessment you want to choose. Ms. Whipkey noted that former Mayor Koontz had suggested only going 7-8 feet deep with the gravity lines and using grinder pumps to the homes that were below that level; has that been looked at and wondered how that would work with the EPA? Mr. Rodgers stated the problem with that is we would be putting that burden on the home owner to purchase and maintain that grinder pump. Ms. Whipkey stated the suggestion was that the City paid for the original pump with the home owner being responsible for from that point. Mr. Markey started that question has been sent to Mr. Demboski for his review and he was unsure if this requires a complete redesign? Ms. Whipkey asked if this was another route we want to look into how would the EPA look at that, would we even have the opportunity? Ms. Whipkey stated it seemed so much cheaper to go this route due to the depth of the original plans and Mr. Rodgers stated at some points it was as much as twenty-five (25) feet deep. Mr. Markey stated that we can always ask the question. Mr. Rodger's stated you already have a viable solution has already been in front of everyone for over two (2) years with the vacuum system at four to five feet deep and you want to go to a grinder pump. Mr. Rodgers stated that are we going to also give everyone a free generator for when their power fails? The two systems requiring no power were the vacuum and the gravity. Mayor Zita reminded Mr. Rodgers that he believed it was Mr. Rodgers that had stated with no power there is no water going into the house so no water would be going out of the house anyway. Mr. Rodgers stated there would be if there was city water and do you think we are going to go without city water. That is the problem and he has stated it before that Norton does not plan ahead, we are always catching up. Right now, if you think about it we are going to dig up a bunch of streets in Nash Heights, and please he is not advocating it, but if he was really serious about improving the value of your home he would suggest that you should also look at bringing water as well. Ms. Whipkey stated if you wanted to look at it that way, we need to look at the other way to help the rest of the residents because the EPA and the Federal Government say we are all going to have sewers, it's just a matter of when. Mr. Rodgers asked why you think that I have been pushing vacuum and that he wants a standard for what the residents will pay and what the City will pay. Ms. Whipkey stated we are not going to have control for what happens in people's homes, something may end up getting dumped into the vacuum lines through the home that should not have entered it in the first place, then what? Mr. Rodgers stated we have been over that before and that vacuum system is a self cleaning contained system and that would not happen; it would not clog.

Ms. Whipkey stated she was not talking about a blockage, she talking about something small like a golf ball entering the vacuum system and it gets past the pump and enters the line, it's going to break the line with the velocity it's moving and affects all of those connected to that line in this area. Ms. Whipkey reminded Mr. Rodgers about Mrs. Gibson's comments on the grinder pump problem at the Fire Station being clogged that Mr. Rodgers had stated that was due to somebody putting something foreign down it; well it was still broke and this would affect more than just the homeowner. Mr. Rodgers stated that was an old problem with vacuum systems and the engineers has worked this out with more bends in the line. Mr. Rodgers added the vacuum lines are thicker than the gravity lines. Mr. Markey stated Council will have a new schedule by next week to approve and then it will be submitted. Once the scheduled is received the EPA will have time to respond with whether this is an acceptable time line. You do not have to make decisions as to the assessments and the amounts at this time. Mr. Pierson stated that the EPA does not care what system we end up with and they want to know how we are going forward. They don't care if its vacuum or gravity. Mr. Rodgers stated we have been on track the entire time what we have been working on is to come up with a viable way to put this system in at the least possible cost to the residents and keep the assessments down. We have been working on that for two (2) years; we have been taken off track a couple of times on different things, but to say we have not been working to solve this problem is just not true. Mr. Charlie Lemon, 4000 Summit Road, Norton, Ohio, questioned how you can be on track if you pulled all of the legislation relating to Nash Heights a few weeks ago? You have nothing on the books to move forward. Mr. Rodgers stated we had rescinded those ordinances because we had no way to pay for this without having the deal with Barberton. We have to come up with new amounts for the assessment and come up with new ordinances. Mr. Lemon questioned the use of the vacuum systems in this part of the country as they are okay in some areas but not here in Norton. What will happen when the temperature is 25 below and Mr. Rodgers stated probably what they do in Alaska where they have them. Mr. Lemon stated that if we the EPA fines are at \$25,000.00 a day going back to 2009 that is going to cost this City \$73,000,000.00. You need to move forward, use the help of your Law Director and Administration and forward and stop stalling and get this going. Mr. Lemon stated that it's the tax payers that will be paying for this in the end. Mr. Rodgers cautioned anyone using the word "stalling" and stated that no one on this Council is stalling here and we have been working on this. Mr. Lemon stated you have been talking about this since 2009, what do you call that? Mr. Rodgers stated he has not been working on this since 2009, but for the last two (2) years he has been. This city is about to spend in upwards of \$10 million dollars, which is double the annual revenue, and we better talk about it and get it right this time. Mr. Lemon stated you need to listen to what the EPA, County and the Barberton people are telling you they are not looking at vacuum systems, they don't want them and they won't work. Mr. Lemon advocated owning our own infrastructure and Ms. Whipkey stated it's too late to for Norton to own that infrastructure because we have missed that boat and Barberton will be taking possession. Mr. Rodgers brought u the package plants and talked about the purchase of our lines and becoming our own sewer agent and he believed Mr. Pelot and Ms. Whipkey were both willing to go along with that all along. Ms. Whipkey stated she was against our city buying these lines because she wanted the County to keep them and maintain them.

Ms. Whipkey stated that when they do that those costs would be spread across the entire county. When Barberton came into the mix, and they wanted them, that is when she said we need to re-think this because she realized that our people would be paying for these improvements. The County or Barberton residents are not going to be paying for them; it will be Norton people paying for it and they have stated that. You keep stating that we need to demand this and that of Barberton; how do you demand anything from Barberton when they are holding all of the cards? Mr. Rodgers stated the County wants to dump our package plants because they are losing money. The County is more able to absorb the costs more than Norton. Barberton, by buying the package plants, will begin to lose money on them just like the County and Ms. Whipkey responded until they turn them over to sewer. Mr. Pierson stated it is still a capital investment and \$5 million dollars to get it there; it's a great deal for the County lines must be maintained and the revenue line goes straight to Barberton. Ms. Whipkey stated she was aware of that, but she cannot believe Barberton would ever enter to this agreement if they would not benefit in the long run; it was a long term investment for them, but in the end she believed it will work out well for them. Mr. Pierson stated maybe Barberton knows this Council or another Council would vote to assess the package plant residents for the conversion and Mayor Judge alluded to that in the paper a couple of weeks ago. Mr. Markey stated he believed Barberton had stated that they do not plan on assessing for the abandonment of the package plants. Mr. Pierson questioned a surcharge on Norton customers for the package plants and Mr. Markey stated he believed that was lines 33 through 37 on the model. Mr. McGlone stated he believed there would also be grants available for this cost and Mr. Markey concurred that the engineering firm believed there should be grants. Mr. Pierson stated that may be so, but until those funds are in an account or a guarantee, you have nothing and you have to work with the money on hand. Mr. Markey stated Norton could never be charged more than a Barberton customer, unless Norton agreed to it, and they would have to raise their own residential rates; so it's their risk not Norton's as that is how the MOU was set up that is was the Barberton rate, plus 50%. Ms. Whipkey noted that Barberton had a built in rate for increase like 2.5% each year for the Norton residents, and Mr. Markey concurred. Mr. Rodgers asked if we built Nash Heights out ourselves and we send the sewage up Greenwich Road through a force main what would the Norton customer living in Nash Heights pay at that point? Mr. Markey stated it would be Barberton rate plus 50% or the same as before under the water and sewer agreement and a rebate of 27.5% as the agreement was based on Norton owning the lines. Mr. Pierson questioned this being reduced when we reach a certain volume and asked what that was? Mr. Markey replied he was not sure when this triggered into effect. Mr. Pierson stated that Nash Heights alone would not be enough; it would be a lot more of the City before that would kick in. Mr. Tousley asked about the figures for city loans and the annual payments for vacuum and the gravity system. It shows assessment of \$12,500.00 over thirty (30) years for both. For vacuum the annual city loan is \$124,685.00 or annually \$577.00 and for gravity it shows \$162,644.00 or annually \$502.000. Why is there of \$40,000.00 or more in annual payments? Mr. Markey stated these should be the same and he would double check the amounts. His guess is the interest rate may be different, for thirty (30) yrs 2.25% and for twenty (20) years it was less than that and that the higher one would be determined until we get down the road later.

Mr. Markey stated there are zero interest loans and other at a rate less than 3%, but did not know where it was currently and would have to check. Mr. McGlone stated he recalled our time is running out on these loans and we could lose them and Mr. Markey concurred, this is another ball up in the air. Mr. Pierson asked about the loan details and Mr. Markey stated the City would borrow the full amount for the project it just matters how the repayments get split up. The City pays the rate for the loan or loans which is the same rate that is passed onto the resident in their assessment. Mr. Rodgers asked if the Fiscal Officer charges interest and Mr. Markey stated they do charge a small administrative fee, but was unsure on that amount. Mr. Tousley asked Mr. Messner how much is being pulled in the annual tax credit roll back and what is projected moving forward as to how much is left over? Mr. Messner replied he believed he had provided that information about a month or so ago that was from 2010 forward that contained all the revenue and expenses; he would resend the chart and Mr. Markey clarified he was looking for a budget moving forward to see how much money would be left over and Mr. Tousley concurred. Mr. Rodgers asked about using the surcharge money. Mr. Markey stated the Sewer Fund money could be borrowed but you still have to have a way to repay yourself; you have to have another source to reimburse the Sewer Fund. The General Fund could be used to pay back the loan to the Sewer Fund and Mr. Pierson asked if the government sets the interest rate? Mr. Markey stated there are several opinions out there on this; but he felt the City could set the interest rate; it would work like the City bought its own note and a lot of utilities do that to help fund projects. Mr. Jack Gainer, asked if we were to borrow money from the sewer fund, is this money currently invested? Mr. Markey stated it's in a designated account. Mr. Messner stated it's invested in Chase and First Merit banks and it rolls over nightly, but the interest is minimal. Mr. Gainer stated if we are drawing let's say 1% and we borrow against that, you cannot borrow against that at a loss. You would have to at least borrow it at the same interest rate that you would have received with that funds investment. At the end of the day there was no action taken on this and a full time line schedule would be submitted to Council for next week for review and approval and Mr. Markey would go over the horizontal pages again to find the discrepancy discussed. Mr. Rodgers stated he would have the maintenance cost for the vacuum system to everyone by tomorrow; adding that he may even send that out by email as soon as he gets home tonight. Mr. Rodgers stated he also has a call into Nationwide Realty for their operating cost for the last few years in Jeromesville vacuum system, for nearly the same number of residents. Mr. Markey stated that new information would also be sent to Mr. Fischbein at the EPA. Mr. Rodgers noted that Mr. Fischbein knows that we are working with Mr. Bernstein and that we are not stalling and has been in the loop all along so for the EPA to state we are not moving forward is misleading. Mr. Rodgers stated he is not sure where this is all coming from, or maybe he does. Mr. Rodgers asked where we are with the weight limit legislation for Summit Road, and Mrs. Richards noted this ordinance is up for its third and final reading next week as Ord. #73-2015 with the amendment.

**New Business:**

None

**Topics for the next Work Session:**

None at this time

**Public Comment-Agenda and Non Agenda Items:**

Mr. Jack Gainer, 3920 Wadsworth Road, Norton, Ohio, discussed all of the comments and history relating to Nash Heights and what was discussed. Most of the residents don't come here to these meetings weekly. Mr. Gainer stated he spoke to eighteen (18) different people in ages from 19 to 31 and not one of them could tell him what has been going on with the sewers for the past two (2) years. That tells him the citizens of Norton are not up on what is going on with the sewers. Mr. Gainer stated that he would like to give his condolences to all of the victims to the San Bernardino shooting victims and their families, before he forgets. Mr. Gainer stated he would like to have the entire EPA letter on the city's website to inform the residents as to what has been going on all of these years and let the people decide what has been going on for themselves. Of course this is only one sided by the EPA. Mr. Gainer stated there should also be a general history of Nash Heights should also be available to the public as well. Mr. Gainer stated there are so many versions and questions out there as to when the Health Dept. declared a nuisance and what's happened since then. You need to tell the whole story as to what has been happening, including the charter petitions that failed. Mr. Gainer stated we need this published either by the minutes or something, and the paper probably has something more on this that would be beneficial. Mr. Gainer noted the Barberton Mayor insinuated from his tone that Barberton Council would not support vacuum sewers. Mr. Rodgers asked how do you feel about Barberton City Council telling this Council how they should rule? If everyone says Barberton is such a good deal maybe we should merge with them. We could have one fire department, one police department, and if everyone thinks we are getting such a good deal from Barberton, we should just merge with them. Mr. Lemon stated he has not said that and Mr. Rodgers responded that yes, people have said that Barberton is giving us stuff. Mr. Lemon stated he has lived here since 1954 and the sad part about this is none of his kids can get jobs here, because there are no jobs here to be had so they go to college and have to move somewhere else for work. Mr. Lemon asked who wants to move into this City to pay and maintain their own septic system? Mr. Lemon discussed the building next to him which is the former Adjust-A-Post property and they paid over \$400,000.00 just to bring sewer to that building. Mr. Lemon asked who would want to come here to Norton and pay that kind of money for a septic system. We need to get on the ball and decide if we are going to build our own water plant, etc. Your job is to work with the Administration and they are not the enemy. Mr. Lemon stated that you all took an oath under God; so are you telling God that you are just kidding? You went to the people for your job to get elected; they did not come to you. What you need to do is send someone to Columbus to negotiate with them for help for the residents. Mr. Gainer stated he has no opinion either way about merging with Barberton but if they supply all of these services, they have the right to recover their expenses. Mr. Gainer stated he has heard Mr. Rodgers stated that it's like Barberton has a knife to his back. They are not dictating anything to you, you have an agreement with the MOU and they have never insisted on having those 1400 new customers in order to make this work. Mr. Gainer discussed the package plants and how this is to be paid for has been prepared by Mr. Markey and is on the City's website.

You of course have to apply for grants and if you don't get that then you don't get it. Mr. Pierson stated you have to have a financial plan.

**Public Updates:**

Mayor Zita read a press release from Officer Brett McShane relating to the FOP 2015 Norton Safety Food Drive (see attached). Mrs. Richards commented on her Bedding Brigade drive for the Summit County Battered Women's Shelter and that it's going really well and she would continue to accept donations until December 21, 2015 and then deliver all of the goods to their offices. Mayor Zita commented on the tree lighting ceremony this past weekend, and it was a great turnout. Ms. Whipkey commented on the upcoming MAD-DAC meeting this Friday at 6:30 PM.

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:00 PM.

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Charlotte Whipkey, 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.**