COMMITTEE WORK SESSION
JANUARY 19, 2016

Committee Members Present:	Rick Rodgers-Excused Joe Kernan Dennis Pierson Scott Pelot Charlotte Whipkey
Also Present:	Mayor Mike Zita Valerie Wax Carr Ron Messner Justin Markey Karla Richards

The Committee Work Session convened on Tuesday, January 19, 2016 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Charlotte Whipkey, President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

General Topics of Discussion:

Ms. Whipkey clarified the portions for public comments. During a work session the public has the option to speak to each Agenda item, all they have to do is raise their hands and be recognized, come to the podium and state your name and address. Other than that they can sign in to speak on whatever they want and everyone will have a five (5) minute limit. For the Regular Council meetings, there is generally no discussion from the public during the agenda items. In order to speak at the Public Comment section, you must sign in and will be called to the podium and again you will have five (5) minutes. If you receive a response or comment by either Council or the Administration, that does not count toward your time. If you are extended the courtesy to speak by a majority vote of Council, you will need to state the item you are addressing and you will still have the five (5) minute rule. In the event we have a lot of residents signed up to speak on a particular night we may have to limit the time to less than the five minutes so that everyone can speak. Ms. Whipkey stated it's always been her opinion and most of Council that you will have a right to speak.

Nash Heights-Resolutions of Necessity

Mr. Pierson stated that what is before us now seems identical to the past and asked Mr. Markey for clarification if there were any changes.

Mr. Markey stated there are no differences since the ones before Council in September, other than the Exhibit C has been amended; it has gone down from 287 residents to 285.

Mr. Pierson moved to place Res. #2-2016 and #3-2016 on the Special Council agenda, seconded by Mr. Kernan.

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

Motion passed 5-0.

Nash Heights-Reapply for WPCLF Funding

Mr. Pierson stated that he thought this funding was already in place and he questioned if this is to reapply and asked Mr. Markey for clarification. Mr. Markey stated that re-apply might not be the correct wording. Nash Heights had been previously nominated for these loans. This ordinance authorizes the application. The EPA had received the notice of nomination; this is just to apply for the funding. Mr. Pierson asked if the EPA timeline we just updated has any bearing on this? Mr. Markey replied yes, we need to get this done by the first week of February in order to get the applications in on time to get the funding and be within the schedule. Mr. Pierson asked if we have heard anything back from the EPA. Mr. Markey replied we have not heard back officially from the EPA as to our response. Mr. Pierson stated this was odd since they wanted our response so quickly. Mr. Markey stated they have a committee established to respond to us and that he expected their reply before the end of this month.

Mr. Pierson moved to place Res. #4-2016 on the Special Council agenda, seconded by Mr. Kernan. Mr. Tousley clarified with Mr. Markey that this legislation has not come before Council to be acted on until tonight and Mr. Markey concurred.

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

Motion passed 5-0.

2016 InSite Advisory Group Agreement

Ms. Whipkey stated that this is a contract for $35,000.00 and it was approved previously by the Board of Control on January 11, 2016 similar to what we had before. Ms. Whipkey asked if this will include the help with planning? Mrs. Carr stated we ~~are~~ still have an open contract with D.B. Hartt specifically for planning and zoning and for the proper planning and zoning for Cleveland-Massillon Road widening for future planning; and they do go back and forth. Ms. Whipkey asked specifically if InSite would be providing more planning as opposed to us filling the Planning Director position. Mrs. Carr replied no, but if you look at their proposal many of these items touch into the planning world as that is included as part of their work.

If we feel we need some additional help; that is something we can ask for and add ala carte or ask to have included in their contract as we go. Mr. Pierson asked if InSite has provided the City a business plan, we are paying them money and wants to see a business plan and certain requirements on growth, course of actions, etc. Mr. Pierson clarified that they are getting our money and he would like to see a plan and course of action that they would meet certain goals. Mrs. Carr stated that InSite is planning to address specific main areas which are in the packet with four main areas: land development that includes the Cleveland-Massillon corridor, the AP gas station, Cornerstone school which includes the large landowners we call Boggs/Greenbank properties, and Sunset Trailer Park that is looking to resell; business retention and expansion programs which is looking at some Greater Akron Chamber partnerships and inventory of vacant buildings and parcels as we have inquiries for availability of vacant sites and we are currently not on the program that lists those properties; developer attraction which includes sanitary sewer and other utility projects that would look at how a developer could help to get there, meeting with interested parties, Cleveland-Massillon Road, zoning, and property codes; and finally a tax incentive program. In addition they will also handle all of the CRA reporting to the State of Ohio. Although there are no specific timelines, as we enter each of the main areas, we can hone in on them specifically and have reports back to Council. Mrs. Carr stated in the past we met monthly with InSite and they did provide us with a monthly report. We had provided a quarterly report to Council last year, but she can provide a monthly report to Council. Mr. Pierson stated as we would have a new chair for that committee that person should get them and Mr. Carr concurred she would absolutely keep that person updated adding that Mr. Grether went to many of the meetings. Mr. Tousley noticed the price change from $25,000.00 to $35,000.00 annually. Mrs. Carr noted that last year was a partial year, but there are more services as well. Ms. Whipkey inquired as to the need for emergency language and Mrs. Carr explained it was so they could get a contract in place hopefully by the end of January. Ms. Whipkey asked if anyone on Council had a problem with the emergency language and when no one did she moved to place Ord. #5-2016 on Councils next agenda with emergency language, seconded by Mr. Pelot. Mr. Tousley stated in the budget we talked about them expanding their services and asked if we have any more details on their plans and Mrs. Carr replied she knows they are working on this goal. Mrs. Carr responded they were looking at adding a Planner to their staff. Ms. Whipkey noted if that is the case there may be additional costs involved later on which would come back to us for approval. Mrs. Carr stated there may not necessarily be an additional cost for the Planner if it dove-tailed into things they are already doing and concurred that InSite would have to come back for approval on additional costs.

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

Motion passed 5-0.

2016 Summit County Road Program

Mr. Pelot stated that this is the same as what was proposed before and with the mild winter the roads have not changed significantly, which is a good thing. We are still looking at $1.4 million and partnering again with Summit County to get the best costs for our dollar. If things change before spring time we can still look at other areas needing improvement. Mr. Pelot noted that he has received some recent complaints on Oser Road that may need addressed as the sides of the road are collapsing in several areas.

Mr. Pelot moved to place Ord. #6-2016 on Councils next agenda, seconded by Ms. Whipkey.

Roll Call: Yeas: Pelot, Whipkey, Kernan, Pierson, Tousley
Nays: Nays

Motion passed 5-0.

Agricultural District Renewal-Beddow

Ms. Whipkey stated that this is an agricultural district renewal for the Beddow Farm at 4379 Greenwich Road and is more of a boiler plate legislation. Ms. Whipkey moved to place this on Councils next agenda, with emergency language, seconded by Mr. Pelot. Mrs. Richards noted a public hearing has been set and advertised to coincide with the second reading for February 8, 2016 at or about 7:15 PM.

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

Motion passed 5-0.

Police Department Vehicles Purchase

Mr. Kernan stated documentation presented to Council shows that this is for the purchase of two (2) cruisers and with the bids received and it appears that Fred Martin was the lowest bidder. Mr. Pierson asked if we are buying these on the State bid? Mrs. Carr replied, they are basically going under the State bid. Mr. Pierson noted the difference between the spec and price quote, as he is looking at a quote, and questioned if there are any additions to the vehicles not listed on the State bid? Mr. Pierson clarified there is a standard list on a State bid; when you have specifications, you have options like an extension to the front bumper of eight inches or so that the manufacturer could charge accordingly for that option if it is not on the State bid. Mrs. Carr noted that Chief Dalessandro had planned to be here this evening, but became very ill at the end of the day and she advised him not to attend. Mrs. Carr stated that everything the Police Department wanted is included in this pricing. Mr. Pierson stated, okay, we're going to add the rest ourselves like the partitions to the doghouses, etc. as they match up so it would be a cost saving. Mrs. Carr stated we could get more details from Chief Dalessandro, if needed. Mr. Pierson asked who did we purchase the last three (3) vehicles?

Mrs. Carr noted that at least the last two (2) were from Fred Martin as she was here for those and there has been a relationship with Fred Martin that went back to Chief Carris. Mr. Pierson asked who is it that has the authorization to determine whether or not we go with a State bid; is it you or the Mayor's? Mrs. Carr commented on a recent memo she prepared for all of Council that explained these details with legislation going back to 1990. Mrs. Carr stated that City Council has given the authorization to use the State bid process just as if we are going out for bid and purchase through the CUE. In addition we do cooperative purchasing, as was in the memo; we use Chargers while many other entities use Ford and most are buying SUV packets right now. Mrs. Carr stated we are doing very much exactly what Barberton, Bath, Copley, and New Franklin and Wadsworth do. We all check the CUE, the State Bid and then they go to their local dealer prices. If their local dealer price can match that price then they go with their local dealer. There was discussion about the 3% discount for local bidder preference. Mrs. Carr stated she was not sure if the other communities offer the same 3% local bidder preference like we do. Mrs. Carr noted that Fred Martin is still $857.00 below the State bid, and they don't even need their 3% as they are already below that dollar amount. Mrs. Carr added that Fed Martin could be $746.00 over the State bid price or any price and would still get the bid due to the local bidder preference. Mr. Pierson stated his problem with this and Fred Martin has sold us all the cars in the past and Mr. Pierson asked Mayor Zita how much money did Fred Martin contribute to his recent campaign and Mayor Zita replied he does not recall off hand the exact amount. Mr. Pierson stated that it was over $2,000.00. Mr. Pierson stated that in his opinion it more than taints the procedure and is one reason why you always go out for bids; although this may not have been dishonest, it casts a real negative light when the Chief Administrator is getting campaign money while doing business with that same dealer. Mayor Zita replied regardless, they are still the giving the City a better deal. Mr. Pierson stated he knew it was a lot more work but that without going out for a full bid you won't know if that is really the lowest bid and there is a reason that you go out for bids. Mr. Pierson stated he was not going to sit and argue this as he knew they had the votes to pass it anyhow sitting here. Mrs. Carr stated that Chief Dalessandro is watching from home and had just texted her that this is the exact same options as to what was offered on the State bid. Mrs. Carr stated, putting aside any comments you want to make to the Mayor on his campaign as that is between you and the Mayor, the point is that in going back through all of the years and even as far back to when Chief Carris was here, if not longer, the vehicles came from Fred Martin because of the deal they make as a local vendor. Mrs. Carr stated she did not believe it had anything to do with Mayor Zita sitting here and receiving a campaign contribution as past Mayors have seen the cars purchased from Fred Martin. Mr. Pierson responded that was then, we are talking now, and the past is the past. Mrs. Carr stated the reason she did the research on the cooperative purchasing is that what Mr. Pierson is saying about going out and getting the bids is the exact process that the State does ~~bids~~ from the listings of various dealers. Mr. Pierson stated you need invitations to be on that list and some companies will not be on it. Mrs. Carr answered that Mr. Pierson keeps saying there isn't a bid process and there is through the State.

Mr. Pierson stated the State took over this process for the municipalities, and Mrs. Carr agreed and that the whole purpose is saving all cities money in not having to go out and advertise by providing the state contract, just like the CUE. We buy all of our salt through the CUE, she does not go out and check pricing because the CUE has already done that for us. Mr. Pierson disagreed, stating the purpose was ease as the Mayor signs off on it, the department head, signs off on it, you sign off on it, and Council has to approve it adding that the residents do not get a good deal. Mr. Pierson stated he did not know about materials, but he did know in the apparatus business he loved to see a City doing it like this as it was a lot cleaner and he made money real fast. Mrs. Carr stated it sounds like it's good for the vendor and the purchaser. Mrs. Carr stated we doing what the other communities do by going to our local business, that is our tax base, and saying if they can match that price they can get the business; not only has Fred Martin gone below the State bid pricing, but they give the city over $7000.00 in free car washes every year and donate a new DARE vehicle to the City every two (2) years. Mrs. Carr stated she just does not see how you can turn that away. Mr. Pierson stated he believed they made it back up as no one is in business to give things away and mentioned the maintenance costs they receive from the City. Mrs. Carr stated they do not do all of our maintenance and when we do need it from them; they do the work at a discount. Mr. Pierson disagreed stating they do it exclusively outside of tires, brakes, and oil; have you looked at the check register? Ms. Whipkey asked if we were to go bid outside wouldn't we would have extra expense and time? Mr. Messner noted there would be approximately $3,000.00 to $6,000.00 for advertising from the five major market areas. Ms. Carr noted she did provide that breakdown in her packet of information. Mr. Pierson argued that you only need to advertise in three (3) papers and there are clipping agencies that provide this to everyone in that industry immediately. Mrs. Carr spoke on Mr. Pierson's idea of pooling with other communities and stated the five (5) communities she checked stated they wanted nothing to do with bidding and questioned why would you want to because the State bid process does this. Not only that but they work with their local vendors and want to keep their tax money within their own communities. Mr. Pierson commented on a Provence in Canada that buys that much they get huge discounts. Mr. Pierson stated it's nice to support local businesses, but you need to be prudent with the taxpayer's dollars. Mrs. Carr stated she believed we are being very prudent, we are not skirting any authorizations in the process and that Council had authorized this since 1990. Mr. Messner noted that only Fred Martin would provide a trade in value, none of the others would offer this option. Mrs. Carr corrected that and stated that Key Chrysler did give a trade in option but their figure was nowhere near what Fred Martin has offered. Ms. Whipkey stated not to be the devil's advocate, but wouldn't other dealerships have the option of offering trade ins if it was bid out and Mrs. Carr concurred with Mr. Messner adding Ganley and Montrose refused to accept trade ins. Mr. Tousley asked about the differences on the trade in's and the miles on some of the vehicles. Mr. Messner noted that car #7 is the one we purchased used from Hiram, Ohio that has had numerous issues, but had less miles. Jack Gainer, 3920 Wadsworth Road, Norton, Ohio, stated this has come up at least once before why we are buying from Fred Martin and the State procurement program and the differences in Canada.

Mr. Gainer stated that you can call it whatever you want, but the State has researched this and got the prices to which Fred Martin has matched or beat every time. When you are getting a free vehicle donated from Fred Martin every couple of years, it's just ridiculous to even ask why you would even buy from a local dealer especially when it is the same or lower price. Does any of Council think it makes sense to go all the way to Cincinnati and buy a car from them, even if we got it at a one hundred dollars less, and then drive it all the way back? Mr. Pierson stated when you purchase as a group like the Provence of Ontario they are buying 20-50 vehicles at a time. When the State asked dealers if they want to participate, they don't ask what the price is to be. Mr. Pierson stated if there is a savings of even $100.00 to $300.00 it's worth looking at as it's saving money. No one stays in business with giving away a profit. Mr. Kernan moved to add this to Councils next agenda, seconded by Mr. Pelot.

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

Motion passed 5-0.

Unfinished Business:
Ms. Whipkey noted several items on the Matters Referred list that need to be addressed and or removed because they have been sitting here too long and are timed out pending any of Council desiring differently.
Noise Ordinance-removed
Reimbursements for sewer projects-removed for the time being and could be brought back at a later date when we know where we stand better
Community Center Rentals-keep on
Park Rules-Mrs. Carr stated she and Mr. Messner are working on this now and they plan to present this to the Parks Board and will provide Council with their drafts, hopefully by March 1, 2016. Mr. Kernan moved to keep both items on Matters Referred for another 60 days, seconded by Ms.Whipkey.

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

Motion passed 5-0.

Stray Cats-removed
Watershed Conversancy Petition-Mrs. Carr stated we did have an update meeting last week and asked Mr. Markey for the details. Mr. Markey noted the law directors from each community have a form petition we are all looking at. We intend to address this and have it presented and then circulated to each of the communities. Mrs. Carr stated the meeting was with Barberton, Copley and ourselves and it was suggested we bring on a consultant (Mr. Rozelle-Storm Water Engineering LLC) and the cost would be around $13,000.00 and split between all communities. Mr. Kernan moved to keep this item on the Matters Referred for another 60 days, seconded by Ms. Whipkey.

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

Motion passed 5-0.

Ms. Whipkey asked if we have a decision from the EPA. Mr. Markey replied as he had stated earlier they have a Committee assigned to this and we have not heard back as of yet.

Mr. Tousley stated with the Resolutions of Necessity before us that Council needs to continue looking at the assessment numbers and noted there is about 1.5 million in the tax credit rollback that could be used **to** improve those numbers.

Ms. Whipkey discussed the previous discussions for the Annual Workshop date of February 29, 2016 and moved to add this to next week's agenda, seconded by Mr. Kernan. There was discussion if that was even necessary to address next week and Ms. Whipkey and Mr. Kernan both withdrew their motions to do so. Mr. Kernan moved to amend Council's calendar to add the Annual Workshop for Monday, February 29, 2016 at 7:00 PM, seconded by Ms. Whipkey. Discussion as to topics can be done at the next work session. Mr. Pelot asked Administration if there is any issue with this date and time? Mrs. Carr replied no, they would make arrangements to attend.

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

Motion passed 5-0.

New Business:

Ms. Whipkey stated as she has stated before we need to do something to subsidize these assessment amounts by a formal resolution. We do not have to set a specific dollar amount to that, but she believed we needed it so that these residents know there will be some type of a relief coming if we get the Resolutions of Necessity passed so it can go out with the notifications. Mr. Kernan stated that no one up here on Council wants to charge the residents any more than necessary, however we first need to know if we can do that and where this is going to come from. Mr. Pierson stated that he does agree and it is premature without having the associated costs to have a cost mentioned. Mr. Kernan stated he has no problem looking at all avenues and as Council we need to look at this as well as felt the Administration would agree. For us to say we will give some type of a relief; he hates to do this now and then turn around and change our minds as he wants to be upfront with the people. Ms. Whipkey asked for clarification on whether Mr. Kernan did not want to do a resolution or wanted one stating we would look at giving a subsidy? Mr. Kernan stated he has no problem in doing a resolution stating we will look at giving a subsidy, he just wants to make sure it's done correctly and that we can afford to do this.

Ms. Whipkey referred to Mr. Markey on whether subsidizing wasn't built into the sewer agreement with Barberton before. Mr. Markey stated there was some subsidy built in on the original spreadsheet and could not state that assessments would be built in on a future spreadsheet due to the arguing, unless one was requested and we would need to know what that assessment level is before bringing it in. Mr. Pierson stated that the model has changed and it has changed the numbers. In addition, we do not have a guarantee we will get the one grant. Mr. Markey stated that he believed what Mr. Pierson was talking about is the grant for dealing with the package plants. Mr. Markey stated that no grant is guaranteed, however Barberton is fairly confident they would get that grant if it came down to it. Mr. Pelot stated it's important to remember the Fund 128 was mentioned and although we have to look for funding everywhere we cannot rob any fund completely for just one project; it needs to fair and equitable for this project and future projects down the road. Mr. Pierson reminded everyone it was discussed in the past that all future assessments were to be one flat fee or a set number going forward; he was not suggesting we rob the 128 account, but it was an ongoing affair until 2034 which Council could agree to extend it and keeping in mind it is the tax payers' money. Ms. Whipkey stated with that being said, it's always been a concept from the beginning on Nash Heights and implied that there would be some assistance for these residents. It was first based on us buying the County lines and looking at $8200.00 for assessments without possibly having any real numbers to work with. It's something we really do need consider and we should discuss this further at the next Work Session. Ms. Whipkey stated we will need to be waiving readings on this in order to move fast enough that this could go out with the assessment letters that will be going out to the residents soon.

Topics for the next Work Session:
Workshop agenda items discussion
Resolution for potential Assessment relief.

Public Comment-Agenda and Non Agenda Items:
Mr. Robert Copen, 2525 Sue Lane, Norton, Ohio stated that he hoped that Chief Dalessandro was watching and listening. He is extremely concerned with all of the terrorist activity, even in our own state we have people walking up to a cruiser and shooting an officer point blank. Mr. Copen stated he realized we are a small city with a small force and can imaging Chief Dalessando has equipment requests he would like to have that he does not have, like are out vests up to date? Mr. Pelot stated we just addressed and approved upgrading their vests.

Public Updates:
Ms. Whipkey noted there is a MAD meeting on January 21, 2016 at 6:30 PM at their offices on Snyder Avenue and all of their meetings are open to the Public. Ms. Whipkey noted we are going into a Special Council meeting right after and will allow a short break in the meantime and the taping will continue so if you don't want your conversations recorded, you may exit the chambers. Mr. Pelot asked Mayor Zita about the upcoming appointments for the Charter Review for this year.

Mayor Zita explained this is done every five (5) years and that he is looking for candidates and once they are selected they have up to one year to address the items. Ms. Whipkey and Mr. Tousley, moved to allow public comment from Ms. Gayle Brenner.

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

Motion passed 5-0.

Ms. Gayle Brenner 4041 Harper Avenue, Norton, Ohio, stated she was on the last Charter Review Commission it was up to the members to set the meeting dates/times and there was public comment and we requested it in writing prior to the meeting so we did not spend so much time on one topic or subject matter. Ms. Brenner noted that Mrs. Richards should have all of the back agendas, minutes, etc. Ms. Whipkey stated she would like to have more public access this time around because it's their Charter and they deserve the right to attend, and to comment. Mr. Pierson stated he recalled how it was done in the past and that Ms. Whipkey was even denied the right to serve on the Charter Review Commission. Mayor Zita stated the last round he was not the Mayor and he will see that it's done differently this time. Ms. Whipkey stated that she has mentioned in the past that she would like to see the Boards and Commissions have their own bylaws or rules established and especially now as the Charter Review Commission is about to form.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:08 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.