COMMITTEE WORK SESSION
OCTOBER 17, 2016

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

The Committee Work Session convened on Monday, October 17, 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. Due to technical issues with the video/audio equipment there was a short delay in the meeting getting started until approximately 7:15 PM. PM

General Topics of Discussion:

Games of Skill-Amend Legislation Moving Locations

Mr. Kernan stated that everyone should have the change language in the packets and Section C shows the added application fee of $30.00, and the changes on section B relating to ninety (90) days for opening and the transfer of license locations in Section A on page 3. Mr. Rodgers asked if the request to move a location still would have to fall within our current zoning codes and Mr. Kernan stated he believed yes and that this is addressed in Section 856.15 (a) and we can concur with Mr. Markey next week. Mr. Kernan moved to add this to Councils next agenda, seconded by Mr. Pelot.

Roll Call:	Yes:	Kernan, Pelot, McGlone
	No:	None

Motion passed 3-0.

Feral Cats

Mr. McGlone stated that this is something Mr. Rodgers was asking for and Mr. Rodgers noted the legislation in the packet is from Barberton and their legislation does cover some of our issues, and suggested we use this as a start. We can adjust it as complaints come in going forward. Mr. Rodgers stated the person in question has already been spoken to and the current law does not have many teeth to address this. Ms. Whipkey asked about the bird feeders and squirrel feeders being exempt but what about feeding deer? Mr. McGlone suggested that we have Mr. Markey address this in the drafted legislation. Ms. Whipkey asked when it talks about an enclosed area does this mean a fenced in area, yard, or what? Mr. Rodgers stated he believed it means any fenced in area. Mr. McGlone stated we would continue this discussion at the next Work Session.

Certification of 2017 Tax Levy

Ms. Whipkey stated this is something we do each year and is boiler plate on behalf of the Fire and EMS levy proceeds as well as the police. Mr. Messner stated this is for all of the levies we have for police and fire and is requested to have this back by Nov 2, 2016. Ms. Whipkey moved to place this on Councils next agenda, with emergency language and waiving readings, seconded by Mr. Pelot.

Roll Call: Yes: Whipkey, Pelot, Pierson
No: None

Motion passed 3-0.

Archiving of Recorded Meetings

Mr. Tousley stated he has not held any formal discussion relating to this issue, and he assumes some on Council want to them kept longer. Mr. Rodgers stated he would like to see them kept for at least six (6) months to one (1) year as it is not a big deal to store them anymore. Mr. Tousley asked why not keep them forever and Mr. Pierson stated they should be kept a minimum of five years? Ms. Whipkey asked why keep them that long and questioned what would have precedent in the courts when you have the written document? Mr. Pierson stated the written document would have standing, according to State law. Ms. Whipkey questioned keeping them so long if the documents had the legal standing. Mr. Pierson responded that you should keep them if nothing else in the spirit of transparency and that the recording of a meeting should have more legal standing than the approved minutes because they can obviously be edited or changed by accident, error, or intentionally. Mrs. Richards clarified that the video tapes are never edited and that it's a Charter requirement that the videos are recorded in their entirety and without editing. Mrs. Richards also noted that in addition to that she does not even have a program with any editing features. Mr. Pierson stated accidents can happen, but that is not the State law in the revised code. Mr. Pierson clarified he was referring to the written minutes, not the videos, that could be edited. Mr. Rodgers clarified that as a legal matter the written minutes are what would be admitted to the courts and Mrs. Richards concurred.

Ms. Whipkey stated that Council has the minutes prepared each week and they have ample opportunity to make any suggestions or changes to them before the final approval and took issue with the statement of them being edited after we have already approved them. Mr. Pierson stated that there could be edits at a later time and things can happen. Mr. Pelot asked if we decide to keep them longer do we have disaster recovery or if they are backed up and saved off site? Mr. Messner stated we would backup to the server here in the Finance Dept. and also at SWSCOM. Mr. Messner stated that Mrs. Richards would be backing up it onto an external hard drive. Mr. Nick Sattler-IT personnel stated that the LiveStream and Ustream programs already does a backup on their end through their cloud server so you would have backups off site and on site until deleted by us. Mr. Sattler stated the way these companies store the media is by the hour, and once you go over that time they may charge additional fees. Mr. Messner noted that we may end up paying an up charge for storage if we go above a certain level, which is why Mr. Ring suggested we do this on our own. Mr. Messner stated he can go back to ask the question if we want them to archive and get a cost. Mr. Pierson suggested Mr. Messner also mention this to Mr. Ring for other options for storage off site. Mr. Rodgers asked Mrs. Richards how she would store these archives and the process involved. Mrs. Richards stated that the video would be stored on an external hard drive that is about the size of a cell phone and once transferred over the hard drive is stored in her office in the fire proof vault which is locked. Mrs. Richards indicated the hard drive is a two (2) terra bite storage capacity and you can save a lot of meetings to it. Mr. Rodgers stated maybe we are being too protective and if we can do this process here it seems reasonable as opposing to paying for it. Mr. Messner indicated that that hard drive could also be backed up to the servers. Mr. Kernan stated we should add another sentence that the Clerk of Council shall back up for any length of time and we can always change this. Mr. Tousley stated this just takes a vote of Council and agreed that suggested Mr. Markey prepare the language as Mr. Kernan suggested for a future meeting. Mr. McGlone added we could do this next year when we look at the rules and Mr. Messner agreed as the upgrades won't be done until close to the end of the year.

Community Center Rental Fees-Chapter 1064.02

Mr. Rodgers discussed the comment from a resident, Mr. Jason Sams, last week about us raising the fees too much and too fast and asked if there have been other changes? Mr. Messner replied no we did lower the resident's fees and everything else remains. Mr. Messner stated he has also supplied the other communities' survey information and he still feels we are still below or in line with them. Mr. Tousley discussed the comparison fees Ms. Whipkey prepared and she concurred the ballroom fee went up for non-residents by $25.00 to which Mr. Tousley stated that was not significant. Ms. Whipkey discussed the other changes for the non-residents and the fact we have never offered it by the hour before which can save them some money. Ms. Whipkey added that Mr. Messner was referring to the resident's ball room proposal being lowered to the all day rate that is currently in place of $225 instead of $250 and the hourly rate being lowered to $45 instead of $50 so they get their monies worth if going the five hours. Mr. Pierson also discussed the comment from a resident-Mr. Jason Sams, that we should have a point of sale flyer listing of the local businesses and that Council should have the final proof as to what is being handed out. Ms. Whipkey asked if that was charging the businesses and Mr. Pierson responded he did not want to charge them except for maybe covering the costs of the basic printing and perhaps a business in the City could do it.

Mr. Pelot asked about a former group of business owners that used to have flyers and maps made up and suggested maybe they could help. Mayor Zita replied that was the Norton Business Development Task Force and they have not been active for some time. Mr. Rodgers stated that he had suggested to Mr. Sams that he reach out to the printing company Power Graphics because they did the printing in the past. Mr. Pierson suggested using the County tax reports for names and we could send the various businesses a one paragraph memo on it. Mr. Pierson agreed to contact the Task Force if we can get them on board and see what they can do. Mr. Rodgers stated that he would go and meet with the owner of Power Graphics, Mr. Reinfeld, and see what we can get done. Ms. Whipkey noted this is really a separate issue from the legislation already pending and we can always come back and tweak this more. Mr. Rodgers interjected that this was a twofold process that would draw rentals in and generate business activity for the community. Ms. Whipkey thanked Mr. Rodgers and stated she understood the idea behind it and wasn't against it as it is probably a very good idea, if it can be done without a huge cost to the City, but it is not part of the legislation in front of us that needs to move forward as this can be addressed separately. Mr. Messner stated if we get a top rated city caterer and they operate out of the Community Center, as their home base, ~~as~~ they will bring in a ton of business and perhaps we could take a percentage. Mr. Pierson stated judging on the equipment currently at the Community Center we would need some upgrades there. Mr. Messner noted that perhaps Mr. Pierson needs to go take a visit because we have upgraded most of all of the equipment to commercial standards and are in pretty good shape for a caterer right now to which Mr. Pierson concurred it was a good idea. Mr. Jack Gainer stated the map we had in the past was excellent and felt these businesses would be more than happy to advertise to get their business listed on the new map. It was noted that the ordinance was always on for a second reading next Monday.

Park Rental Fees-Chapter 1066.02

Ms. Whipkey noted this is pretty much the same as the Community Center discussion and as Ord #77-2016 it is already on the agenda for Monday for a third reading. Ms. Whipkey pointed out that all the park facilities are usable for the public, at no cost, if it is not reserved and Mrs. Carr concurred. Mr. Messner noted we can also put in the parks a placard stating this pavilion is reserved for the designated family from 12-4, etc. to show that place is already reserved to cut down on citizen confusion as to whether a facility is available.

Construction Site Fees-Fund 140

Mr. McGlone stated that Chief Dalessandro indicated the police cruisers are getting about $20.00 an hour to protect the site area during construction zones. We need to establish the ordinance allowing the receipt of the funds to purchase new police cruisers, Mr. Messner noted he would transfer about $11,000.00 from the account into this new account. Mr. Tousley asked if the office is paid separately and Mr. Messner replied yes; that it's considered a B job and the construction company pays them directly. Mr. Pelot asked about the liability if an officer or that squad car on the highway? Mr. Messner noted we recently had a situation where our newest cruiser was hit while on the highway. The gentleman was cited and his insurance paid for the damages to our cruiser and thankfully that officer was not injured. Mr. Pierson stated the workers comp claim would be on the City correct? Mrs. Carr stated that even though it's the officers B job they would be covered under the City's policy. Mr. Pierson asked who is cutting the check to these officers? Mrs. Carr stated the construction company or the business that has hired them.

It's not a check, she believed they get paid in cash and it's up to the officers to handle their own taxes. Ms. Whipkey noted that once this is passed it would not have to come back to Council for future approval. Mr. McGlone moved to add this to Councils next agenda, with emergency language and waiving readings, seconded by Mr. Kernan.

Roll Call: Yes: McGlone, Kernan, Rodgers
No: None

Motion passed 3-0.

COPS Grant Acceptance

Mr. McGlone stated that the Chief had been at our last meeting and this was discussed that we would be receiving a grant for $119,267.00 and our matching cost is $39,755.00. Mr. Tousley asked if the amount of $39,755.00 would be in next year's budget for the coming year and Mr. Messner replied yes. Ms. Whipkey clarified that this $39,755.00 is for the entire three (3) years and would help replace some future requirements unless we expanded our force and Mr. Messner concurred. Mr. Messner added we could re-apply for the grant in three (3) years, but that did not mean we would get it. Mr. McGlone moved to add this to Councils next agenda, with emergency language and waiving readings, seconded by Mr. Kernan.

Roll Call: Yes: McGlone, Kernan, Rodgers
No: None

Motion passed 3-0.

Silver Springs Construction Inspector

Mr. Pierson turned this discussion over to Mrs. Carr however he had questions on the definition of a construction inspector and is that also called the superintendent; and if so do we have an additional superintendent on that job? Mrs. Carr stated the inspector for GPD is Gary Wachter and he acts as what could be called a superintendent and inspector on the job. Mr. Pierson stated he is employed at GPD also and his question is why we are paying an additional superintendent when we have one on the job daily. Mrs. Carr stated that perhaps she was being confused by getting his terms mixed up. Mrs. Carr stated the contractor, Karvo, probably has their own superintendent, and she can get a list of their personnel on the site, who then reports to the GPD inspector that checks to make sure we are covered in all areas. Mr. Pierson asked if those fees were not in the design fess and Mrs. Carr answered they were separate fees and that it is generally best to hire the designers for the inspection in her experience. Mrs. Carr stated that the inspector at GPD reports to the City and if any errors are noted they would contact the City and we would stop all work until this is addressed. Mrs. Carr noted for a project this size we want to be sure they are building this correctly the first time to our specs and that is not included in the engineering; this is to watch them. Mrs. Carr stated she originally opened the PO for $10,000.00 just to get this started until we got the final costs and the final proposal costs for this item is for a total of perhaps $30,000.00. Mr. Pierson stated he does not feel we have to pay additional fees to GPD. Mrs. Carr stated we are paying GPD to make sure that the contractor is building it according to the designs and specs that GPD created.

Mr. Rodgers stated we don't have to use GPD to inspect the project however, it makes sense to use GPD since they know what has been designed and that Mrs. Carr does not have the time to go elsewhere. Mr. Tousley asked if it's not too late to have another inspector take a look at this? Mrs. Carr pointed out the project has already been started. Mrs. Carr stated that there was a past pattern that things were not properly inspected and checked along the way and there were issues. Ms. Whipkey stated the contractor has their superintendent and we have a GPD inspector which is what many times it has been stated we needed this inspector on prior jobs; we have already paid $10,000.00 so you will need an additional $20,000.00. Mrs. Carr concurred and stated we have already started and the inspector has already contacted her several times along the way so the communication has been superb so far. Ms. Whipkey asked about a third person to make sure of the materials and Mrs. Carr clarified that it is the same inspector from GPD but a separate job. Mr. Pierson asked what role does Mr. White have on this and Mrs. Carr replied none, because he is subcontracted from the County for twenty (20) hours per week. Mrs. Carr stated the proposal lays out what is expected. Mr. Tousley asked again about having another inspector and what Mrs. Carr is saying is that at this point it's too far along to have another inspector take a look at the cost involved. Mr. Tousley felt that any engineer can read a blueprint from anywhere. Mr. Pelot pointed out that in the past we did not have an inspector on some of the road projects and then we find out we have problems later that could have been prevented. Mr. Pierson felt it should have been the City Engineer that had the responsibility and Mrs. Carr responded that it is common to hire outside for inspectors unless they have multiple engineers on the payroll. Mr. Rodgers stated that he is not questioning the fees and it's probably very much in line with other projects. Mrs. Carr stated that she feels this $30,000.00 fee is a worst case scenario and they are working with us so we are not being charged for hours that would not be needed. Mrs. Carr stated the Fire Dept. went to the site about a week ago and we measured the farthest distance to the homes and have made arrangements for longer fire hoses in this area if needed. Mrs. Carr stated that the access road has been reviewed and is dirt and mud with no stone base and it's not cost effective to bring it back to better standards. Mrs. Carr noted that Brookside Golf Course offered, but the local golf course, Loyal Oak, have donated two golf carts that they own so the residents can have access to their property and everyone will need to sign off on a liability waiver. Mrs. Carr stated that these residents will not be able to have vehicular traffic for about six (6) weeks. Mr. Rodgers suggested the Fire Dept. lay out a very large diameter hose and it would act more like a temporary waterline adding he would send an email out on that. Mr. Pierson moved to place this on Council's next agenda, with emergency language and waiving the readings, seconded by Ms. Whipkey. Mr. Tousley asked if the budget can support this and Mr. Messner replied yes at this time. Mr. Messner stated if it goes more than expected he would need to do additional transfers and he believed he had about $400,000 to work with currently.

Roll Call: Yes: Pierson, Whipkey, Tousley
No: None

Motion passed 3-0.

Unfinished Business:

Mr. Rodgers asked this last week Mrs. Carr was absent and he had asked about the St. Rt. 224 drainage issues.

Mrs. Carr stated there are some corrections and she has already asked Mr. White to look into this deeper with ODOT and he will be getting back to us shortly with a report. Mr. Pelot asked about the status of Cleve-Mass Widening project and how it is going? Mrs. Carr replied very well and it's on schedule. Ms. Whipkey asked about the records request from Mr. Paluch and if Mr. Rodgers had ever responded to him? Mr. Rodgers replied yes he did and that Mrs. Richards had assisted him in that in an email and that email is what he supplied to Mr. Paluch. Mr. Rodgers discussed the reports from the speed trailer and that he would like to have that same information compared to the County's for review. Mr. Tousley asked if we would be seeing the budget review soon and Mr. Messner stated that he is already in the process of this. Mr. Messner discussed his idea of a new process of sitting down with the three (3) members of the Finance Committee first and addressing their issues or concerns and then they present their recommendations to the full Council. This would not mean that anytime anyone on Council cannot ask questions at any time. This would stop us from sitting here for three (3) or four (4) hours week after week going over the budget line by line. Council would still have the big book as always and every proposal for every account and transparency as usual. Mr. Kernan noted the Finance Committee meeting would still be an open meeting to the public and anyone on Council could attend them as well.

New Business:
None

Topics for the next Work Session:
Since Monday, October 31, 2016 is the fifth Monday, the next Committee Work Session will be November 7, 2016.

Public Comments:
No one signed in to speak.

Public Updates:

Adjourn
There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:17 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.