



COMMITTEE WORK SESSION OCTOBER 18, 2010

Committee Members Present: Todd Bergstrom-Excused
Don Nicolard
Brenda Hlas
Bill Mowery-Excused
Ken Braman
Scott Pelot
Mike Zita

Also Present: Mayor David Koontz-Absent
Rick Ryland
John Moss
Pete Kostoff
Karla Richards
Ann Campbell-Absent

The Committee Work Session convened on Monday, October 18, 2010 at 7:03 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Mike Zita, 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:

Establish New Fund for Newpark Drive

Mrs. Hlas turned this discussion over to Mr. Moss for the details. Mr. Moss indicated this legislation was necessary due to grant money involved with the New Park Drive project and we need to establish a fund to receive that grant funding and go out for bids. Mrs. Hlas moved to place this legislation on Councils next agenda waiving the second and third readings as an emergency, seconded by Mr. Pelot.

Roll Call: Yeas: Hlas, Pelot, Nicolard, Braman, Zita
Nays: None

Motion passed 5-0.

Declaration of an Official Intention related to the Newpark Fund

Mr. Moss indicated that this is a requirement that has to do with the grant funding. Mrs. Hlas moved to place this legislation on Councils next agenda waiving the second and third readings as an emergency, seconded by Mr. Pelot.

Roll Call: Yeas: Hlas, Pelot, Nicolard, Braman, Zita
Nays: None

Motion passed 5-0

Budget Changes

Mrs. Hlas indicated that Mr. Moss has submitted several Budget changes in various departments, and turned the discussion over to Mr. Moss for the details. Mr. Moss stated that some of these are an increase to payroll such as the DARE program, while others are a reduction in payroll accounts. Mrs. Hlas moved to place this legislation on Councils next agenda waiving the second and third readings as an emergency, seconded by Mr. Pelot.

Roll Call: Yeas: Hlas, Pelot, Nicolard, Braman, Zita
Nays: None

Motion passed 5-0

Transfer for Debt Service

Mrs. Hlas turned this discussion over to Mr. Moss for the details. Mr. Moss explained that this is for long term debt for the new fire station and would take care of the first interest payment. Mrs. Hlas moved to place this legislation on Councils next agenda waiving the second and third readings as an emergency, seconded by Mr. Pelot.

Roll Call: Yeas: Hlas, Pelot, Nicolard, Braman, Zita
Nays: None

Motion passed 5-0

PC Resolution #15-2010 Text Amendments-Index Changes

Mr. Braman stated the changes related mostly to the index for this chapter as it refers to Ord #100-2010 the Adult entertainment businesses. Mr. Braman stated that he would make a motion to amend the Exhibit A after the Public Hearing takes place next week to correct the editorial changes. Mr. Kostoff stated he had spoken with Ms. Ryan and that the Planning Commission had inadvertently neglected these items in their recommendation to Council and that Council has the authority to modify the Planning Commissions Resolution by the Charter and the Codified Ordinances. Mr. Kostoff noted that no additional public hearings are required for this clarification. Mr. Nicolard questioned if you have to be eighteen (18) years old to enter into an Internet café establishment? Mr. Kostoff replied that he was not certain. Mr. Nicolard stated that if that was the case and this would be an adult business. Mr. Kostoff questioned the true definition of this and indicated that he would have to take some time to look into this further. Mr. Kostoff did note that there should be a ruling down from the courts soon as to the Internet café issue, hopefully before the end of this year.

PC Resolution #16-2010 Text Amendment Non Conforming Use

Mr. Braman briefly explained some of the uses affected by this change, such as the size of expansion of existing buildings down from fifty (50) percent to twenty-five (25). Family dwellings can be rebuilt in whole or in part as long as a permit is pulled within six (6) months and construction is completed within eighteen (18) months. Mr. Braman indicated that this does require a Public Hearing by Council and it would occur at the second reading. Mr. Braman moved to place this on Councils next agenda for a first reading, seconded by Mr. Pelot.

Roll Call: Yeas: Braman, Pelot, Nicolard, Hlas, Zita
Nays: None

Motion passed 5-0.

PC Resolution #17-2010 Text Amendment-Removal of Abandoned Sign

Mr. Braman read the changes to this code such as when the property owner or tenant discontinues the use of the premises for any reason, the owner has thirty days to remove signs instead of ten days. Mr. Pelot questioned about gas stations going bankrupt and the bank taking possession and the bank doesn't respond. Mr. Ryland stated the process is that we notify the bank and if they fail to remove the signs, we take it down. Mr. Braman moved to add this to Councils next agenda for a first reading, seconded by Mr. Pelot.

Roll Call: Yeas: Braman, Pelot, Nicolard, Hlas, Zita
Nays: None

Motion passed 5-0.

Unfinished Business:

None

New Business:

Mr. Nicolard noticed a local business has moved their trash dumpster out in front of their building in plain view and asked if there was some way to address this issue. Mr. Nicolard stated it should be a simple step to make our community look better instead of having these dumpsters out in front like a trophy or something. Mr. Kostoff stated that perhaps it is something the Planning Commission addresses during the site plan review stage and suggested the Zoning Inspector could take a look at this, if not he could take a look at something. Mr. Kostoff indicated this should not be too complex to address. Mr. Ryland stated that currently we have no requirements to address this. Mr. Nicolard moved to have Mr. Kostoff look into addressing trash dumpster corrals required to be behind the business establishments, seconded by Mr. Pelot.

Roll Call: Yeas: Nicolard, Pelot, Hlas, Braman, Zita
Nays: None

Motion passed 5-0.

Mr. Zita asked about the recycle dumpster at the city hall parking lot and Mr. Ryland stated it's a temporary location, but it will be corralled at the permanent site once its moved. Mrs. Hlas asked if we could get a second container and Mr. Ryland replied one was all we can have and it's the busiest container in Summit County.

Mr. Pelot stated that Council just received today a Fact Finders report (see attached) on the full time Fire Fighters Union relating to the two (2) employees. Mr. Pelot stated that the City's position was to offer a salary increase of 1% for 2010, a 1% in January and July of 2011, and 1% in January and July of 2012 and the fire fighters union wanted 2% for the respective years. This went to arbitration and then to fact finders. This final ruling was in favor of the city and the total cost for the report was \$2,437.00. Mr. Pelot indicated that this bill is split in half between the union and the city. Mr. Ryland stated this is the first time that he can recall where the city has prevailed, and this was tied up for nearly a year. Mr. Ryland stated that this cost over \$2,000.00 to reach the right conclusion. Mr. Kostoff stated we have asked for a Special Council Meeting because this decision came out on Friday and Council must act with a vote within seven (7) days from Friday. Mr. Kostoff stated that it is unusual for the fact finder to side with the public employer on issues. Mr. Ryland stated this also comes around full circle because when he first came on board, he told you to close the fire department because you could not afford to keep it. Mr. Ryland stated that it was because of this union and a bad fact finding report that we had at the time. Mrs. Hlas asked if the union has accepted this and Mr. Kostoff stated they have the same period of time as we do. Mr. Zita discussed possible dates for a Special Council meeting to address this, and it was agreed up to hold this Special Council Meeting tomorrow evening, October 19, 2010 at 7:30 PM. Mr. Pelot moved to place legislation for the Fact Finders report on a Special Council Meeting Agenda for tomorrow evening, waiving second and third readings, as an emergency, seconded by Mr. Nicolard.

Roll Call: Yeas: Pelot, Nicolard, Hlas, Braman, Zita
Nays: None

Motion passed 5-0.

Mr. Zita asked about the status of the stop sign at Greenwich Road and Mr. Ryland stated he had expected to have the traffic study report by now, but it was not received.

Public Comment-Agenda and Non Agenda Items:

Ms. Gayle Brenner, a Norton resident and Chair of the 2010 Cider Festival Committee, thanked the Administration for their assistance with everything it took to pull it off this year, it was a big success.

Topics for the next Work Session:

Mr. Moss discussed the need for several finance issues for the next Work Session;

- #1. 2010 Final Budget Changes
- #2. 2010 Transfers and Advances
- #3. 2011 Budget

- #4. 2011 Transfers and Advances
- #5. 2011 Resolution for advance payment of funds
- #6. 2011 Food Ordinance

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:39 PM.

Mike Zita, President of Council

****NOTE: THESE MINUTES ARE NOT VERBATIM****

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