



COMMITTEE WORK SESSION OCTOBER 4, 2010

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

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

The Committee Work Session convened on Monday, October 4, 2010 at 7:02 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:

2011 Road Program/Do Not Plow List

Mr. Nicolard stated that since he did not receive the Do Not Plow listing, he would continue this discussion until next Work Session. Mr. Bergstrom stated that in addition we should include three other items; maintenance, repair and replacement or reconstruction with the Do Not Plow list. Mr. Nicolard stated he believed that is what the Road Tac Committee would be working on.

Assessment Cost Share

Mr. Bergstrom discussed the possible scenarios ranging from 20/80 up to as much as 30/70 and the difference the residents would be paying could be anywhere from \$500.00 to \$1,000.00. Mr. Nicolard suggested that we focus on the Assessment Cost Share and Tap in Fees at separate times and see how this works out, so as not to place the City in any financial jeopardy. Mr. Bergstrom stated he agreed and we need to carefully look at the consequences of both and asked Mr. Moss for his input. Mr. Moss stated that if you have 2,000 homes that could be more than \$2,000,000.00 and the city would have to come up with that not to mention the tap ins and if we waive that, it's a loss of revenue.

Mr. Moss stated that if we run out of money we either have to stop doing this or go out and borrow money long term. Mr. Zita stated that we need to really be looking at longer than five (5) years and that 30% for the City's share is way to high. Mrs. Hlas stated that all along in earlier discussions she thought we have talked about 20/80 not 30/70. Mrs. Hlas stated that there is something out in the community on a petition about water and sewer and not really sure what that's all about and caution on being very conservative with these numbers. Mr. Bergstrom agreed and discussed the design build concept for future projects because you can do bigger projects, which in turn can have more creative ways of doing it. Mr. Ryland stated that currently we are already paying more than 20% on the Oak Street project and you have until next September to finalize the assessments to these residents. Mr. Ryland also cautioned Council to be very conservative on setting a standard rate and possibly set either a threshold or a certain percent of how high you go above that. Mr. Pelot stated we also need to consider how long we have to do this, will it be for ten (10) years or fifteen (15) or even longer. Mr. Nicolard stated that any unessential funds left over, he would like to see them go towards the roads. Mr. Ryland recommended that Council set a standard of not more than 80% be assessed to the residents. Mr. Bergstrom stated he would like to see the three (3) different scenarios worked out 20/80, 25/75, 30/70 and see how that would affect the City financially and he would try and get this to Mr. Moss for his review and input for a bigger picture.

Tap In Fees

Mr. Bergstrom stated that at this point the tap in fees Norton residents pay for sewer connection is approximately \$2700.00. We need to help the residents that need to connect to sanitary sewers as soon as possible. Mr. Bergstrom stated the real question here is if we waive this fee for the first year, how long will it take before we see the money start to come back? Mr. Moss replied about 230 months to recover this. Mrs. Hlas stated that we would also be receiving the monthly surcharges once they tap in, which we normally would not be getting. Mr. Nicolard asked if we waive the tap in fees, what other costs does the homeowner have to incur, such as collapsing the septic tank, excavating, etc? Mr. Ryland stated this is a private contractor issue and those prices are unknown. Mr. Bergstrom asked how does the City handle this loss of revenue and Mr. Moss replied we have money in the fund to cover it for a short time. Mr. Ryland indicated that as it is now we have several homes that need to connect the minute this line becomes available. Mr. Bergstrom moved to have legislation placed on Councils next agenda to waive the tap in fees on a project by project basis for one year. Mr. Kostoff suggested the legislation include the year commences from the date the Municipal Engineer certifies that the project is complete, that's when your one (1) year clock should begin. Mr. Ryland suggested that the language stipulate this applies only to properties being assessed. Mrs. Hlas seconded Mr. Bergstrom's motion. Mr. Kostoff stated that on a legal point of view he can defend this legislation, this is a health and safety issue at hand. Mr. Nicolard stated the way he sees it; this is money we never had in the first place. Mr. Kostoff concurred, this is money incurred for capital improvements, and you just don't have it right now. Mr. Kostoff discussed including the emergency clause when he prepares this legislation and Mr. Bergstrom stated that was not his intention now. Mr. Kostoff stated he is mostly concerned with capturing Councils intention here tonight.

Mr. Bergstrom stated he did not see the need to have the emergency language now, he has not even seen the legislation and what if we need to edit it or send it back to committee. Mr. Zita stated he is concerned with the residents having to wait an additional thirty (30) days or more to take effect in order for them to be able to connect. Mr. Bergstrom stated he wants to see the legislation first and read it before we decide on the emergency clause. Mr. Pelot asked what would be the point of not adding the emergency clause now, lets say the language is not how you like it, how does that change the emergency clause? Mr. Bergstrom stated he did not see why it's so important to deal with the emergency clause now. Mr. Zita stated because it can be put into the legislation for Monday night when Mr. Kostoff is preparing it. Mr. Nicolard stated that first of all it's Tuesday night not Monday and he agreed with putting the emergency language in it, and if Mr. Bergstrom doesn't like it he would just table it anyway or take it back to Committee.

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

Motion passed 7-0.

Multi-Jurisdictional Radio Maintenance Agreement

Mr. Mowery turned this discussion over to Mr. Ryland for the details. Mr. Ryland stated this agreement involves Copley, Fairlawn, Bath and Norton and is a continuation of the 80/20 grant Firefighters Assistance grant we received back in 2009. This is for the construction of the new tower being constructed with the \$800,000.00 grant money received. Mr. Ryland indicated that this is for maintenance only and that nothing can be done with this equipment without coming to Council first. Mr. Kostoff indicated that he has been working with all of the Law Directors from the other agencies and we have all agreed with the terms within this agreement and are satisfied with the documents. Mr. Kostoff hoped that he would have the final documents back and ready for Council by Tuesday's meeting, if not we would have to wait until the next Council meeting. Mr. Ryland stated the conditions of the grant were that we need to complete this by October 16, 2010 or we are in violation of the grant we received. Mr. Mowery moved to place this item on Councils next agenda with emergency language, seconded by Mr. Nicolard.

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

Motion passed 7-0.

4-Way Stop Sign (Hametown & Greenwich Road)

Mr. Mowery stated that this would be just like the one recently installed at Medina Line and Reimer Road. Mr. Ryland stated that we have had only one accident in three years at this intersection since this new stop sign was erected. Mr. Ryland concurred and the flashing stop sign would be facing on Greenwich Road. Mrs. Hlas asked of the flashing traffic light would be removed and Mr. Ryland replied no.

Mr. Pelot stated he thought we did a traffic study a few years back and the results were a stoplight was warranted and for some reason we didn't do it. Mr. Ryland concurred it was warranted and we chose not to do it because of the phasing of the stop light and traffic being stopped at the bridge would cause more of a problem. Mr. Ryland stated that flashing stop signs are able to move more traffic through quicker than a full stop light. Mr. Pelot asked how many cars is acceptable for backing up, is it five (5) cars, or seven (7)? Mr. Ryland replied that he did not know. Mr. Ryland stated his biggest concern on this bridge is for ice formation in the winter and this will need to be a priority. Mr. Ryland stated the last major accident had traffic backed up nearly four (4) hours, and most are T-bone type of accidents. Mr. Ryland stated this was on the agenda for Councils information, no legislation was required to proceed. Mr. Bergstrom asked if round-a-bouts have been discussed in this area and Mr. Ryland replied yes, however they are very expensive and they do have their proper place. Mr. Ryland indicated more car counts need to be done, and legal postings and flashing lights but hope to have this done by November. Mr. Pelot asked to have a copy of that report from that study from 2004.

Summit County Direct Indictment Agreement

Mrs. Hlas stated this is done on an annual basis and this contract is not to exceed \$10,000.00. Mr. Moss stated we really have no option not to do this and that we are required to participate. Mr. Pelot stated the last legislation we did was two (2) years ago. Mrs. Hlas moved to add this to Councils next agenda, seconded by Mr. Bergstrom, waiving second & third readings and as an emergency.

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

Motion passed 7-0.

Accepting County Rates & Amounts

Mrs. Hlas stated that this is a housekeeping item and something we do on an annual basis. Mrs. Hlas moved to place this on Councils next agenda, waiving the second and third readings, and as an emergency, seconded by Mr. Bergstrom.

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

Motion passed 7-0.

PC Resolution #14-2010 Adult Use Regulations

Mr. Braman stated this is an update to the current zoning code and title name change to Adult Use from Sexually Oriented Businesses. Mr. Braman stated the main change here is in I-1 and I-2 they are no longer allowed within a B1 or B2 district. We also increased the distance to 1,000 feet from a residence, churches, and schools. Mr. Braman stated that this chapter has not been updated for over fifteen (15) years. Mr. Ryland noted that in Section 1292.04 Section 5 C-REC B1, B-2 change is very important here.

Mr. Braman stated the areas in Norton mostly affected would only be along Barber Road and Summit Road, and that we have none of these establishments currently. Mr. Kostoff indicated that he has worked with the Planning Commission on this and is confident with the legislation if it were ever to be challenged. Mr. Braman stated that this amendment does require a public hearing by Council and the Clerk would make arrangements for the public hearing at the second reading. Mr. Braman moved to place this on Councils next agenda for a first reading only, with emergency language, seconded by Mr. Pelot.

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

Motion passed 7-0.

Unfinished Business:

Mrs. Hlas clarified the question that was raised earlier as to the amount in the Sewer Fund #127, as of September 31, 2010 the unencumbered balance is \$205,000.00.

New Business:

Mr. Zita stated that he and Mr. Braman attended the PPG open house last Saturday, it was very interesting touring the stone quarry. Mr. Braman stated the Plant Manager seemed to be a good neighbor and wants to work with the city.

Public Comment-Agenda and Non Agenda Items:

None

Topics for the next Work Session:

2011 Road Program-Do Not Plow List
Assessment Cost Share

Mr. Moss asked to have discussion on the following:

- #1 Creating a new fund for Newpark Drive
- #2 Declaration of an official intention related to the Newpark Fund
- #3 Transfer for fire fund capital levy to debt services
- #4 Budget change to pay down the loan on the Fire Dept.
- #5 A correction to Johnson Meadows Fund
- #6 Changes to full time Fire Dept. Union related

Mr. Zita reminded everyone that the Council meeting would be on Tuesday, not Monday due to the Columbus Day Holiday. Mr. Zita reminded Council of the Ohio Municipal League seminar on Sunshine Laws this Thursday in Massillon from 1:00-4:15.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:13 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.