



## COMMITTEE WORK SESSION APRIL 5, 2010

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

**Also Present:** Mayor David Koontz-Excused  
Rick Ryland  
John Moss  
Karla Richards  
Ann Campbell

The Committee Work Session convened on Monday, April 5, 2010 at 7:00 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:**

#### **Res. Of Appreciation/Appoint Civil Service Member**

Mr. Pelot moved to add a Resolution of Appreciation for the services of Ms. Linda Weigand on the Civil Service Commission to the next Council agenda, waiving the second and third readings as an emergency, seconded by Mr. Nicolard. Mr. Pelot stated that Ms. Weigand has served on the Civil Service Commission from October 1998 through October 12, 2009 and thanked her for her service.

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

Motion passed 7-0.

Mr. Pelot moved to place the Resolution of Appointment for Ms. Peggy Dobbins to the Civil Service Commission on Councils next agenda, waiving the second and third readings as an emergency, seconded by Mr. Nicolard. Mr. Pelot stated Ms. Dobbins was under the weather tonight and was unable to attend. Her term would run from March 1, 2010 to February 29, 2016.

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

Motion passed 7-0.

Appoint Assessment Equalization Board-Greenwich Road

Mr. Zita stated that we have already received three (3) letters of protest which requires appointing an Assessment Board. Mr. Pelot moved to place the appointment of Jim Lada, Jim Bennett, Bob Adams, as members and Mike Wronkovich as alternate to the Assessment Equalization Board for the Greenwich Road Sewer Project on Councils next agenda, waiving the second and third readings as an emergency, seconded by Mr. Nicolard. Mr. Pelot stated they have all served on various Boards in the past and have done an excellent job representing the land owners. Mr. Mowery asked if any of these members lived in the areas of the assessment and Mr. Pelot answered no, they have to be disinterested land owners, they cannot have any connection to these properties, this way it is unbiased. Mr. Mowery asked about the area of Phase II and who all would be involved with that project. Mr. Ryland stated that area would eventually have a pump station at Hudson Run and there would be a high pressure line. Mr. Ryland indicated that Phase II would be utilized to take in the rest of Nash Heights which would be Phase III. Mr. Mowery felt that possibly these residents in Phase II or Phase III could be allowed to serve on an Assessment Board. Mrs. Richards stated that if they are part of any phase of the assessment they cannot serve, or if they are even related to a property owner they cannot serve on an Assessment Board.

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

Motion passed 7-0.

Trash Haulers Services Bid Proposal Review

Mr. Bergstrom stated that the Administration has prepared the draft of the proposal and he asked that all Council members review it in detail and respond to either Mrs. Richards or Mr. Ryland with any suggested changes by next Wednesday, April 14, 2010 in order to have those changes in the packet for the next Work Session to finalize. Mr. Bergstrom mentioned a few items such as; the scheduled days of the week, school pickups, commercial, will we have a total number of residents, how do we address a potential increase in population, are we doing our own billing, the size of trucks, etc. Mrs. Hlas stated the schools will continue to handle their own and right now this program is only for residential, however later on we could do something to address commercial if Council was interested. Mr. Nicolard stated that we have discussed and discussed this, he is all in favor of the city doing its own billing, as it's truly a city service. Mr. Bergstrom agreed adding that we just don't know all of the details and how the Administration would be able to get it done. Mr. Moss stated he has already started looking at this. At the start 7.5% on the invoice would bring in a little income, however collection rate would be high and eventually that could lead to assessments.

Mr. Moss stated he was not looking at hiring new staff to do the billing, most of the detailed work is in tracking who is in and who is out. Mr. Moss suggested we would contract with a company to print and mail the billing, however it's the day to day tracking that will be difficult to keep up with. Mr. Bergstrom questioned where would the complaint center be? Mr. Pelot asked Mr. Moss about the advantages of doing our own billing and Mr. Moss replied we have our own control, and it's easy to cancel one contractor and pick up another if you are unsatisfied. Mr. Moss cautioned everyone that this is not going to be a money maker issue for the city and that 7.5% may or may not be enough to even handle our cost for software and data base issues. Mr. Moss stated there is also a plus of having a community link to our residents with the billing for notices of events, etc. Mr. Bergstrom asked if we are creating any legal obligations with this and Mr. Moss replied he was not certain, however he would check with Mr. Kostoff and our insurance carrier. Mr. Mowery clarified that if Council adopted this, there would be no opt out, all residents would have to pay for this service, and Mr. Bergstrom stated that was correct. Ms. Gayle Brenner, a Norton resident, spoke out against this as she has from the beginning. Ms. Brenner stated that Stow has already increased their rates after their first eight (8) months into it. They just recently added a \$15.00 surcharge on top of that, so where is their savings to the residents? Ms. Brenner asked Council if any of you contacted other communities to see how they worked it out, or the ones that did not do it at all? Ms. Brenner asked how much do school busses weigh versus trash trucks because we have just as many of them on the roads too. Ms. Brenner suggested the public gets a chance to see the proposal that all of Council is looking at. Ms. Tiffany Meade, a Norton resident, asked if we are going to go with the lowest bid or what? Mr. Bergstrom stated yes, and that we also look at past performances too. Ms. Mead asked what would happen if they don't pay their bill? Ms. Mead stated she has a neighbor across the street says that they don't pay so what happens? Mr. Moss stated that there would be a normal collection letter process, and then eventually an assessment would kick in. Mr. Moss stated the idea is to have all residents getting pickup and all residents would be required to pay their bills. Ms. Mead stated that in her neighborhood there are some residents that actually burn their trash and have no trash pick up whatsoever. Mr. Alex Stavarz, a Norton resident, stated that he does not burn his trash or have any household pick up, he takes his trash to his business for commercial pick up and so does his son. Mr. Stavarz objected to being forced to pay for something he will not and does not use, he does not need trash pick up at his home and some residents should be able to be exempt from this. Mr. Bergstrom stated our goal is for all residents to have trash pick up from their home, otherwise what's to stop them from taking their trash to work every day. Mr. Ryland stated that if you provide proof to the city and show records of commercial pick up, then we could put that in the bid package. Mrs. Hlas agreed, if you are a Norton family owned business, you need to put on your company letterhead who you want exempted from the residential trash pick up, and provide copies of your commercial billing, then you would be exempt. There was further discussion and this subject was continued until the April 19, 2010 Work Session.

#### Approve Assessment Board Report-Oak Street

Mr. Bergstrom stated the report reflects that the Board has heard the objections that were filed and has overruled, and it appears that does not jeopardize this project.

Mr. Bergstrom moved to add this item to Councils next agenda for a first reading, with emergency language, seconded by Mr. Braman.

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

Motion passed 7-0.

Ordinance to Proceed-Oak Street Sewer Project

Mr. Bergstrom moved to place this legislation on Councils next agenda with emergency language for a first reading, seconded by Mr. Braman.

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

Motion passed 7-0.

Work Shop Agenda Items

Mr. Zita discussed the proposed items suggested by Mr. Bergstrom and asked other Council members if they have anything else to add, there were no other suggestions. Mr. Bergstrom asked when the agenda would be finalized and Mr. Zita stated he would like to have it finalized by April 12, 2010. Mrs. Hlas noted she might not be able to attend the Workshop because that is open house for her son's college. Mr. Pelot also noted he might not be in attendance that may be the same day for his son's college graduation.

Unfinished Business:

Mr. Bergstrom discussed his thoughts on the best way to share the city's costs for providing citywide sewers and water. Mr. Bergstrom stated he wanted the sewer line to be a more equitable cost to the residents especially on Greenwich in the deeper areas of 18-20 ft deep and by the time it makes its way to his neighborhood it may only be 10-12 ft. deep. Mr. Bergstrom noted that some homes don't have and will not be willing to have septic in their basements, and this should be taken into consideration. Mr. Bergstrom stated that once we figure this out, then we need to take a look and see if this is something the city can afford to pay for on its own. Mr. Zita stated he has held some discussions with the Administration on the differences of costs between the depths, and we need to look at that information carefully. Mr. Ryland noted that anything below 16 ft. requires a totally different type of pipe. Mr. Pelot discussed the tap in fees and the costs involved to collapse the current septic systems, and suggested that the City of Norton consider waiving our tap in fees. Mr. Pelot stated that at some point we have to look at what is reasonable and what is fair to the residents. Mr. Bergstrom discussed in the future doing larger projects in design and build out, because overall you would probably save more money, instead of small sections of 20-30 parcels at a time. Mr. Nicolard stated in recent discussions we talked about master metering and having our own sewer and water department. In doing this, it would lower our costs to the residents. Mr. Nicolard stated Council really needs to do something about directing our Administration to look into this issue seriously and report back to us.

Mr. Moss addressed Mr. Pelot's comments about reducing the tap in fees, and reminded everyone that the previous Council had already reduce the connection fees for all residents from what was proposed, although this area might deserve some careful consideration. Mr. Stavarz suggested at the Workshop, Council should take the leadership control with the water and sewer issue, reminding everyone that Barberton is currently taking 40% from our JEDD and that Summit County gets excessive tap in fees. Mr. Stavarz stated that you need to set up your own department and get away from that and build your own sewage treatment plants. Mr. Stavarz stated that he supports tap in fees for new construction, but not for existing buildings. Mr. Stavarz stated that he was on Council in the past and he knows we have the water resources and we have the Master Plan that laid out our sewer. Mr. Zita clarified that we are not the ones forcing the hook ups, it's the EPA that is requiring the connections and they are forcing our hands. Mr. Pelot stated that he understands the hardships facing the residents on a personal level, after 21 years, he recently lost his job. Mr. Pelot stated that he realizes no one here is secure and he now has a deeper respect for the outcome of our actions to the residents.

New Business:

Mr. Ryland discussed the construction site manager for the new fire station and that he had received a number of proposals. Mr. Ryland stated that he has selected Mr. Bob Zimmerman of Zimmerman Construction, due to his impeccable references. Mr. Bergstrom asked how many hours we should expect, and Mr. Ryland replied 1200 over the next 9 months for a total of \$78,000.00, and that we had budgeted for \$150,000.00 total. Mr. Ryland indicated that the architect would also be on site for the entire project. Mr. Ryland indicated there is no further action required by Council for this approval as you already approved for that within the budget. Mr. Ryland stated that Mr. Zimmerman would be reporting to him directly throughout the project. Mr. Ryland stated the city recently received the architect's itemized revised billing for review for the request for extra pay. Mr. Braman removed the Construction Manager and PC Res. #20-2009 Site Plan Review from the Matters Referred listing.

Public Comment-Agenda and Non Agenda Items:

Ms. Mead, a Norton resident, discussed an eyesore in her neighborhood where a resident has had a trash dumpster there for some time that has never been emptied, and asked where or to whom does she report this. Ms. Mead also asked where does she report city employee misuse of time on the clock? Mr. Ryland advised Ms. Mead as to the proper reporting procedures. Ms. Mead commented about the city doing the billing for the trash services, and stated that we really don't have the resources now, and if we have to eventually hire staff to do that with benefits this would end up costing the city more.

Ms. Millie Carneal, a Norton resident, stated that she has been encouraged and very impressed with all of your concerns lately about the sewer issues. Ms. Carneal discussed the EPA letter and the reference to 70% failure rate. Ms. Carneal stated that she spoke with Summit County Health Dept. and they are no where near completion with their inspection studies and she questioned where the 70% figure comes from. Ms. Carneal discussed the misstatements made regarding the high prices for septic system replacements.

Ms. Carneal stated that most if us would like to see sewers, she has lived her 64 years and would like to see this happen. Ms. Carneal discussed a recent situation with the rental at the community center and getting key access. Ms. Carneal stated that one group had to wait for a police officer to be called in while on duty to unlock the community center. How much does an officer make, can we afford to allow such a practice. Ms. Carneal commented about a Norton employee most likely on overtime that appeared at her Flowering Heights Gardening Club meeting, just to check on us, remind us to return the tables and chairs to the original places, etc. Ms. Carneal stated there is a lot of mistrust because of things like this and wasted money and city resources.

Mr. Gary Kindel, a Norton resident, stated this has been an interesting evening with your concerns about the costs is touching, would have been more received last week. Mr. Kindel commented on the Mayors statements of miscommunications and discussed the regulations and off site sampling. Mr. Kindel stated that sampling is to be done annually once your system is in compliance. Mr. Kindel stated there was no \$20-\$40 per month per sampling. Mr. Kindel stated we are all doing this because of the EPA, and they want action on illicit waste not sewers. Norton delegated to regulate this with the homeowners and force something to happen to Summit County. Mr. Kindel stated he would like to see Norton get a progress report from Summit County and present that in a public meeting. Mr. Kindel stated if we have high concentrations may indicate more serious problems than just e-coli and we may have a time frame that we simply cannot live with to correct it. Mr. Kindel stated that the EPA could change your timetables on you just like that. Mr. Kindel stated that he can only attribute you change in attitude or concern to the fact that the press being here tonight, or how many complaints have come in. Mr. Kindel stated his concern is that we may not be addressing the real problem because you have no maps identifying the areas. Mr. Ryland explained that if you go online there is a presentation from last year that has the maps identifying the high fecal coliform counts. Mr. Kindel asked how many septic tanks have been fixed today? Mr. Ryland stated he did not know, and that the 5% failure rate of what has been checked by Summit County was a correct statement. Mr. Ryland stated that what was not in there is that out of the 400 or so that they checked, 292 were not accessible and of those a certain portion do not even show on the map. Mr. Ryland stated the EPA's reference of 70% is based on the quality and the count they took off measuring those high fecal counts. Mr. Kindel stated he was only questioning if we know where the high counts areas are, and demands that something is done now not extend sewer. If we have a problem then it needs to be fixed now, not two years from now. Mr. Ryland stated that's exactly what we are doing, the area of this sewer line is the second highest area of fecal coliform counts in the city and we are addressing it now.

Mrs. Elaine Tompkins, a Norton resident, discussed the financial raping coming from the sewer line extension of the Greenwich Road sanitary sewers. Mrs. Tompkins agreed that we all need sewer and water, however she agreed with Mr. Bergstrom's comments to make all assessments fair for everyone. Mrs. Tompkins discussed the Oak Street and Greenwich Road sewer projects and the variances of costs. Mrs. Tompkins discussed the details of a resolution of necessity for this assessment project, which states the plans and specifications must be on file with the city.

Mrs. Tompkins stated that it has been reported moving of the location of the fire station by approximately 30 ft, and asked if Council was aware, did they approve such plans, how about the extra costs on this? Why are these 20 residents being asked to throw in \$15,000.00 each? Mrs. Tompkins reminded everyone that you are collecting new tax credit revenue dedicated to trunk lines and Greenwich Road is a trunk line. What is the city putting into this other than their required 2%? Mrs. Tompkins inquired as to the status of the city's unclaimed funds as listed in the Beacon Journal. Mrs. Tompkins discussed some strange figures in the Budget relating to the Mayors salary of \$11,250.00, however the Budget shows \$11,418.00. Was that because of the extra pay period this year, and when she contacted Mr. Moss he indicated that he had put in a 1.5% increase for all non-union employees. Mrs. Tompkins stated that might be wonderful as a budget point of view, however that is unauthorized.

Topics for the next Work Session:

Trash Haulers Services Bid Proposal Review. Mr. Zita moved to place a Resolution of support for the school bond levy on Councils next agenda, with emergency language waiving second and third readings, seconded by Mrs. Hlas.

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

Motion passed 7-0.

Mrs. Tompkins asked about a public meeting on April 21, 2010. Mr. Ryland stated this is sponsored by AMATS and is in regards to the widening of Cleveland Massillon Road. Ms. Carneal asked about the construction timeline for Cleveland Massillon Road because the Mr. Ryland's Secretary stated it was to start in 2014, however the post card she received from the school levy committee states 2012, this is misinformation once again. Mr. Ryland replied that it was not misinformation, that was the original time schedule, and it was not until late last week when we met, we were informed of the change to 2014.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:02 PM.

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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.**