



## COMMITTEE WORK SESSION JANUARY 18, 2011

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

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

The Committee Work Session convened on Tuesday, January 18, 2011 at 7:04 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, 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:** **Stats & Goals of the Norton Police Dept.**

Police Chief Hete gave a brief overview of the Norton Police Departments 2010 Annual Report (see attached) and Det. John Canterbury also outlined some of the years highlights and recent arrest activities for 2011. Chief Hete noted that his department was able to accomplish all of this while reducing their overtime by 70% from 2009 and operating expenses by 3 %. Chief Hete also expressed the urgent need to replace two vehicles with over 100,000 miles on them this year which was not in the 2011 Budget and he urged Council to try and find a way to fund these expenses.

### **Wage & Hiring Freeze**

Mrs. Hlas stated that there was one done in the past by the Administration and she wanted to do one now by legislation with the exclusion of the necessity to replace a position and for necessary overtime. Mrs. Hlas questioned if we could group those changes into Ord #94-2010 if possible?

### **Wage & Hiring Freeze Continued:**

Mr. Kostoff stated that what he understands as Councils desire with Ord. #94-2010 is not to have the pay increases for 2011 to take effect, however he questioned if this applied to all non-bargaining employees or to part time police, or part-time dispatch? Mr. Pelot stated he wanted to leave the 2% pay increase for the part-time police and dispatch and longevity in there. Mr. Mowery questioned if the wage freeze would be across the board for everyone and if some had already had increases? Mr. Ryland stated that if the employees are not listed in the ordinance, then their collective bargaining units cover them. Mr. Mowery asked about the employees that got laid off, would they be the ones called back first? Mr. Ryland replied yes. Mr. Mowery asked how many did we end up laying off and Mr. Ryland replied three (3). Mr. Nicolard asked Mr. Ryland since he has been the Administrative Officer, how many employees have we let go or lost? Mr. Ryland replied fifteen (15) including the recent layoffs. Mr. Kostoff reminded everyone that these are separate issues here; one is a wage and hire freeze and the other is Ord. #94-2010. Mr. Ryland asked if we couldn't do just one new piece of legislation placing a wage freeze back to the 2009 levels for all non-bargaining employees and leave Ord. #94-2010 intact as it is now? Mr. Ryland stated that he is strongly opposed to a hiring freeze not knowing what the city's needs are in the future especially with economic development. Mr. Mowery stated that we had an economic development person on board in the past, and he didn't see the city making any great strides in development then. Mr. Nicolard stated that he feels it's the Administrations function to do the hiring and we need to separate the Administrative and Legislative functions here. Mr. Bergstrom echoed Mr. Nicolard's statements adding that we don't want to take away any services we can provide to the residents. After further debate and discussion on this issue, Mrs. Hlas decided to withdraw her consideration of a wage and hiring freeze at this time.

### **Reconsider Ord. #94-2010 Non-Bargaining Salary/Longevity**

Mr. Pelot stated that the Administration should be making the decisions on raises and it is discretionary and it needs to be put back into their hands. Mr. Ryland stated that with Ord. #94-2010 it gave 2% to all non-bargaining employees, and when we did the 2011 Budget that raise was not included. The non-bargaining did not receive that raise in 2011 and we have no intention of doing anything until the economy improves. Mr. Zita stated what started Ord #94-2010 is that we are trying to retain the good employees that we do have. We were trying to do with the non-bargaining what was given to the bargaining employees. Mr. Kostoff stated that Ord. #94-2010 as it is; absence of the 2%, Mr. Ryland does not have the authority to do so without some other mechanism in place. In the future you need to give the Administrative Officer that authority to do so with pay increases and right now this ordinance says it's a 2% across the board. Mr. Mowery questioned how do most of these employees feel that are affected by this? Mr. Ryland replied that they are very irritated by this, and reminded everyone that these same employees have not had a pay increase since 2008. Mr. Ryland indicated the city is seeing small signs of improvement in the local economy, our Oct-Nov-Dec. collection figures are looking more like 2008.

**Reconsider Ord. #94-2010 Non-Bargaining Salary/Longevity Continued**

There was discussion as to if a new piece of legislation would be necessary or if we could amend Ord. #94-2010 to accomplish what is needed and Mr. Kostoff indicated he would need time to review this further. Mrs. Elaine Tompkins, a Norton resident, stated the way Ord. #94-2010 reads is you either pay it or rescind it all together, there is nothing discretionary here. Mr. Mowery indicated that we just don't have the money to do either one. Mr. Pelot moved to amend Ord #94-2010, and place this on the next Council agenda, seconded by Mrs. Hlas.

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

Motion passed 7-0.

**Appoint Representatives to Firefighters Dependents Fund**

Mr. Pelot stated that we need to appoint someone to serve on this Board for 2011 and that last year he and Mr. Mowery were appointed. Mr. Zita and Mr. Nicolard volunteered to serve for 2011. Mr. Pelot asked Mr. Kostoff if legislation was required, and Mr. Kostoff indicated all that is required is a motion. Mr. Pelot moved to appoint Mr. Zita and Mr. Nicolard to the Norton Firefighters Dependents Fund Board for 2011, seconded by Mrs. Hlas.

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

Motion passed 7-0.

**Appointment to Norton Health Advisory Board**

Mr. Kostoff stated he discussed this with the Mayor and once we had contracted with Summit County Health District, we had a position on the Policy Board. The Mayor either sits on the Board or designates someone. Mr. Karant has been appointed by the Mayor to that Board. Mr. Kostoff indicated he was not sure how long this appointment was for and has asked Mrs. Richards to look into this, and to see if Council needs to act on that, which is doubtful. Mr. Kostoff stated he also reviewed past legislation which established the Norton Health Advisory Board and feels this needs to be reviewed and assessed as to the purpose of the Board. Mr. Pelot stated he also discussed this with the Mayor and he is not willing to make any rash decisions about the Board at this time, or absolve the Board. Mr. Kostoff suggested having the Board come to a future Work Session and give their feedback; in addition Mr. Karant could also come to a Council meeting with a report. Mr. Pelot stated he also talked with Mr. Karant last week about his thoughts of the Norton Health Advisory Board continuing. Mr. Karant felt that they should continue and focus on the MAD District, their initial concerns, which were clearing ditches, standing water, etc. Mr. Kostoff noted that Mayor Koontz's candidate for the position on the Norton Health Advisory Board, Ms. Johanna Edwards was present in the audience.

**Appointment to Norton Health Advisory Board Continued:**

Ms. Edwards spoke regarding her background, she is a Registered Nurse for over 23 years with Akron general Medical center, and is now working with Akron General Partners. Ms. Edwards is now semi-retired and she responded to the Mayors article for the open position. Mr. Bergstrom asked Ms. Edwards about her ideas, and Ms. Edwards replied she is not sure what Summit County has in mind as far as important issues for Norton. Ms. Edwards stated that for Norton, volunteering your time is important. Mr. Braman stated that he could personally vouch for Ms. Edwards, over 20 years ago he had the opportunity to meet her and witnessed her compassion. Mr. Kostoff stated you can't help but be impressed with Ms. Edwards' credentials and her background, which would be valuable to help the city figure out its role of the Board. Mr. Kostoff suggested he be allowed to draft a resolution confirming her appointment and another one thanking Dan Karant for his services. Mr. Pelot moved to add a resolution appointing Ms. Johanna Edwards to the Norton Health Advisory Board to Councils next agenda, seconded by Mr. Braman.

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

Motion passed 7-0.

Mr. Pelot moved to add a resolution of appreciation for Dan Karant for his service on the Norton Health Advisory Board to Councils next agenda, seconded by Mr. Braman.

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

Motion passed 7-0.

**Correction to Ord #78-2007 Fund 109/107**

Mrs. Hlas stated that after talking with the Clerk and Mr. Kostoff it was determined that legislation is not necessary to correct this. This is just a typo and will be handled internally.

**Closing Capital Funds**

Mrs. Hlas stated this was to close out six (6) funds and provide for the transfers of any balances. Mrs. Hlas moved to add this to Councils next agenda, seconded by Mr. Nicolard.

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

Motion passed 7-0.

### **Cable Franchise Fees**

Mrs. Hlas stated this is to authorize taking \$51,000.00 from the Time Warner Fund and transferring it to the General Fund to go into the Parks Dept. for general maintenance at the parks and is a one time transfer. Mr. Mowery questioned the balance in this fund and Mrs. Hlas stated she was not sure of the totals, however we receive over \$100,000.00 annually from Time Warner. Mrs. Hlas moved to place this on Councils next agenda, seconded by Mr. Nicolard.

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

Motion passed 7-0.

### **Nash Heights Engineering**

Mr. Bergstrom stated that the Administration did send out the requests for proposals and we need to discuss the results and their reviews. Mr. Bergstrom stated that the engineering company we select should be based on performance not only the best price Mr. Bergstrom stated that he would recuse himself from the final vote on this issue. Mr. Ryland reviewed the scoring results he submitted during this meeting (see attached). Mr. Bergstrom stated that he was disappointed the he does not see three individual reports here, didn't we talk about a program manager approval here? Mr. Ryland stated that our Municipal Engineer-Dave White is more than qualified here and has more bearing on this report then he does. Mr. Bergstrom stated he still would like to see the full record. Mr. Ryland indicated that Floyd Browne Group was the #1 group and their background knowledge of our city, its infrastructure of the last several years is most impressive, they knew it well. Mr. Bergstrom encouraged all of Council to make sure that they are comfortable with this before moving forward. Mr. Ryland discussed the possibility of needing a project manager with this project to determine the full details. Mr. Kostoff indicated that Ord. #92-2010 addresses the issue of engineering and another piece of legislation tonight is not required. Mr. Pelot discussed a discrepancy in the totals and Mr. Ryland agreed it's a typo with where the decimals are placed, it would be corrected. Mr. Mowery questioned how can the city and the residents afford to do this? Mr. Ryland indicated we have the availability to open up territories to the north with a pump station in Nash Heights instead of waiting for the for the Van Hyning trunk lines. Mr. Mowery stated these blue-collar workers simply cannot afford this, they are struggling to make their house and car payments. Mr. Ryland stated he does not disagree with Mr. Mowery's statement. However, Mr. Ryland reminded everyone of the article in the papers this past weekend about the City of Akron and the EPA denied what is going on in Akron in regards to their sewer systems. Mr. Ryland reminded everyone that we are still under the eyes of the EPA because we still have high fecal coliform counts throughout our city and sanitary sewers are still the best way to address this. If we don't plan for this we will be in the same situation as Akron in the future. Mr. Mowery stated that the EPA is telling us to fix your problem, and you seem to have the mind set in this community that sewers are the only way to fix it.

**Nash Heights Engineering Continued:**

Mr. Ryland stated that if they have a failed system, and no space on their lot to expand for a new one, and no septic available, they will have to vacate their homes. Mr. Ryland stated we are trying to address this to keep that from happening with new sewer systems within the city. Mr. Mowery indicated that there are other septic systems that could be available and he would rather see this money be used for other things, Chief Hete just said he needs cruisers. Mr. Ryland stated that you cannot do that, that tax credit roll back money and legislation dictates this money is earmarked for utility improvements, and that's exactly what we are doing. There was further discussion on this issue and Mr. Bergstrom stated we are losing sight here. We have failing septic systems and we are addressing this. We have a plan and we have to stick to that course, and we need to keep focused on that issue one at a time. Mr. Ryland commented on the past engineering firms for various other projects, and that we had good relationships and achieved good results with each of them. Mr. Ryland stated he is pleased that we don't put all of our eggs in one basket, we use these other groups. Mr. Pelot agreed with Mr. Bergstrom's comments, we need to stick with our plan to continue to bring infrastructure into the city. Look at what wasn't done with that back in the 1960's when the city decided not do anything when we had the perfect opportunity to do so. If we had it would have cost the city only 10% of the cost of the project, but someone decided it was not the right time to do that. Mrs. Elaine Tompkins questioned about the scope of the work on the evaluations, and who did this? Mr. Ryland stated that Mr. White, our Municipal Engineer, prepared this and passed it along to himself and Mr. Bergstrom.

**Defer Special Assessment**

Mr. Bergstrom stated this was a bit surprised about this being on the agenda, but believed it related to a recent assessment and asked Mr. Ryland to comment. Mr. Ryland explained that this was to defer another Agricultural District from being assessed from a recent waterline project. Mrs. Richards explained that this is similar to the last one we did for Mr. Dayton. Mr. Kostoff stated that we need an ordinance dealing with this parcel to address it, and we should do another one to establish a policy in the future. Mr. Kostoff stated that in his experience it's the engineer or engineering firm that puts the assessments on the list, they would also flag any agricultural districts. Mr. Bergstrom asked if legislation is even required, and Mr. Ryland stated it's more to cover the city's actions. Mr. Bergstrom moved to place this on Councils next agenda, seconded by Mr. Zita.

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

Motion passed 7-0.

**Unfinished Business:**

Mr. Zita commented about the recent articles in the newspapers and misinformation about the prices on the trash program. Mr. Zita asked if you are on the limited service for 5 months can you switch over to unlimited, and Mr. Ryland replied yes you can change within any billing cycle, its done quarterly. Mr. Zita stated, as he understands it; for an example, if the bags are \$2.00 per bag then there is an additional \$2.00 a month to pick them up. However you can also pay \$32.00 for 10 bags plus tax and pay the \$2.00 for pick up per month. Mr. Ryland stated that was correct. Mr. Mowery questioned the status of the water meters in Brentwood Estates and stated he wanted to have a printout of all Norton residents that have had their meters replaced. Mr. Ryland indicated that would be a public records request to the City of Barberton.

**New Business:**

Mr. Pelot discussed request for a new liquor permit at the location of the former Norton Drive Thru on Cleveland-Massillon Road. Mr. Pelot indicated that Chief Hete did not request a formal hearing. Mr. Braman asked how many times this location has switched ownership and Mr. Ryland replied 4 times in 2 years. After further discussion there was no request for a hearing of Council and no objections to this application.

**New Business Continued:**

Mr. Bergstrom asked about what is protocol for snowplowing or no plow streets? Mr. Ryland stated that we have 4 snow plowing routes; main roads, arterial roads, then onto residential roads. All get plowed at least once maybe two times. Then we apply salt and sometimes salt does not get applied at all due to temperatures because it simply wont work.

**Public Comment-Agenda and Non Agenda Items:**

Ms. Connie Donnet, a Norton resident for 24 years commented about the trash haulers and that you seem to have already made up your mind. She is here to speak up about this issue, although you probably wont listen. Ms. Donnet stated that she felt J & J has some connection or pull with the city. Ms. Donnet reflected on the prices posted in the papers and if most residents are on unlimited service then Republic is the lowest price. Ms. Donnet stated she is very happy with her provider, which is Republic. Ms. Donnet asked about the possibility of them jacking up the prices once they get the contract. Mr. Ryland replied that the most they can raise prices over the 5 years is only 9%. Mr. Ryland also noted that J & J is the lowest over the course of the contract by over 21%.

Mr. Larry Perkins, a Norton resident, commented about the trash haulers, stating that he has a 70 ft driveway that slopes downhill, who is going to help him take his barrel down the driveway to the curb? Mr. Ryland stated there is a provision for back door service.

Ms. Gayle Brenner announced there is a Chili Cook Off on Sunday from 1-5 at the Community Center.

**Topics for the next Work Session:**

Set a date for the next Annual WorkShop. Mr. Nicolard suggested the Norton Business Development Task Force could attend as they are working on a brochure and internet information about a Be Norton-Buy Norton campaign. There was discussion about future dates and Mr. Pelot asked everyone to look at the last 2 Saturdays in February and the first 2 Saturdays in March.

Agricultural District Applications

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:14 PM.

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Scott Pelot, President of Council

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

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