



COMMITTEE WORK SESSION JANUARY 3, 2011

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

Also Present: Mayor David Koontz
Rick Ryland
John Moss
Justin Markey (Atty. Roetzel & Address)
Karla Richards
Ann Campbell

The Committee Work Session convened on Monday, January 3, 2011 at 7:08 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:

Mr. Pelot stated the Committee line up would be ready in the morning for everyone. The Committee Chairs are all the same with the following exception; Safety Chair is now Don Nicolard, and Service Chair is now Bill Mowery.

2011 Advances & Transfers

Mrs. Hlas turned the discussions over to Mr. Moss for the details. Mr. Moss indicated these are consistent with the budget, which Council already passed. Mrs. Elaine Tompkins questioned if the end of year reports are completed, and if Council had these? Mr. Moss replied yes, his staff has circulated the reports. Mrs. Hlas moved to place the Advances on the next Council agenda, seconded by Mr. Bergstrom. Mrs. Hlas indicated she would be asking to waive the second and third readings.

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

Motion passed 7-0.

Mrs. Hlas moved to place the Transfers on Councils next agenda, seconded by Mr. Bergstrom. Mrs. Hlas stated she would also be asking to waive the second and third readings of this legislation as well.

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

Motion passed 7-0.

Trash Dumpsters-Corrals

Mr. Pelot stated that one of his proposals this year was to have co-sponsors on legislation if necessary. This one is set for Mr. Mowery, however Mr. Nicolard really started this issue. Mr. Mowery stated he was fine turning the discussion back over to Mr. Nicolard. Mr. Nicolard stated he had asked the Law Dept. to work on this, it's basically a house keeping issue. Mr. Nicolard stated he would like for all new businesses to have a cleaner look in our city. New contractors should not have an issue with this. Mr. Markey stated that there are three (3) provisions to consider here. Section 642.17 is a criminal code and the next two Sections 1296.20 and 1257.04 deals with site plan review and zoning regulations and cannot be retroactive. Mrs. Hlas questioned the difference between commercial and residential and Mr. Ryland stated that is really up for Council to decide. Mr. Bergstrom stated he felt we should be focusing on commercial for now. Mr. Nicolard moved to place this on Councils next agenda, seconded by Mr. Braman. Mrs. Hlas questioned if this was proper because the Planning Commission had tabled their resolution due to their concerns, thinking that Council maybe should hold off. Mr. Ryland stated that the Planning Commission would be meeting later this month. Mr. Pelot stated we could go all three readings, and by that time the Planning Commission would have time to address their concerns. Mr. Markey stated this would be coming to Council as three separate ordinances and he would advise Council on Monday if they should be moving forward on this or not.

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

Motion passed 7-0.

Trash Bid package Results

Mr. Bergstrom stated that he was glad to see the results come in and that the prices were so close. Mr. Bergstrom turned the discussion over to Mr. Ryland for the details. Mr. Ryland stated the bids were opened on December 15, 2010 and the difference between the lowest bidder was \$2,100.00. Mr. Ryland stated that all bids have been reviewed and are good and very competitive and the Administration recommends that Council approve the bid received from J & J Refuse, or reject them all as a whole and start over. Mr. Ryland stated the good news is that at the end of the five years you will still be paying \$12.53 a month for limited service. Mr. Zita questioned if the city will do the billing or J & J Refuse? Mr. Ryland replied we have it both ways, be we recommend letting J & J do the billing.

Mrs. Hlas stated she has concerns with most of the residents having unlimited service and if that's the case then Republic is your best bid. Mrs. Hlas stated she would rather go out and rebid. Mr. Ryland cautioned doing that because if you do, you already have a 50% increase in fuel costs since these bids went out, so you may not see any savings. There was discussion about the fuel surcharges and Mr. Ryland stated that it's the City of Norton that gets to dictate when these fees can kick in not the refuse hauler. Mr. Nicolard asked about the number of days for pick up and Mr. Ryland stated we have not set that yet, however the maximum allowed is four (4). Mr. Bergstrom discussed the bulk rate pricing and did not recommend going out for rebid; we should stick with what we currently have because we achieved what we wanted in the first place. Mr. Bergstrom stated that as far as in house billing, we need to weigh this out more before we think about it. Mr. Bergstrom moved to place the Administrations recommendation to accept the bid from J & J Refuse on Councils next agenda, seconded by Mr. Braman. There was discussion as to the timing and number of readings required. Mr. Ryland stated that the first billing cycle would not be until April 1, 2011. Mr. Bergstrom stated this would be a first reading only. Ms. Charlotte Whipkey asked for clarification on the unlimited service and what was included. Mr. Ryland stated that no extra charges would be incurred for bulky items like carpet, yard debris, etc. Mr. Pelot stated he is still against forcing the residents to chose for a service and he would be voting no on this tonight.

Roll Call: Yeas: Bergstrom, Nicolard, Hlas, Mowery, Braman, Zita
Nays: Pelot

Motion passed 6-1.

Approve 2011 Meeting Schedule

Mr. Pelot reviewed the schedule and asked if there were any changes. Mr. Ryland offered a suggestion to move all Council and Committee meetings to another day other than Mondays. Mr. Ryland stated that Mondays are very rough days for the Administration and makes for a long day. Mr. Braman stated that if we switched to Wednesdays, people might have issues because of Wednesday night church services. Mr. Bergstrom stated that we could all take the next week to look at our calendars and see what days might be better other than Mondays or Wednesdays. Mr. Pelot stated why mess up everyone's schedule here, the packets go out on Friday and the agenda is usually prepared by Wednesday and that's plenty of time. Mr. Zita stated that in Karla's defense, sometimes she is waiting on legislation or information, and it may be delayed for whatever reason. There was further discussion and Mr. Pelot proposed to approve the 2011 schedule as submitted, seconded by Mr. Zita.

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

Motion passed 7-0.

Approve/Amend Council Rules

Mr. Pelot asked if there was anything Council wished to have addressed and Mr. Bergstrom stated Rule #106-Meeting Days. There were no other suggestions. Ms. Charlotte Whipkey commented, stating that all of you who were either elected or appointed knew the meeting days were on a Monday. Mr. Bergstrom stated that yes, he knew this, however he is trying to be more focused and efficient with his time and Mondays at his office are extremely difficult days. Mr. Bergstrom stated that he felt maybe if we switched to a different day of the week, he could do a better job. Mr. Pelot moved to add the formal approval of Council Rules on the next Council agenda, seconded by Mike Zita.

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

Motion passed 7-0.

Moratorium on Entertainment Arcades

Mr. Braman stated that current moratorium runs out soon and turned this discussion over to Mr. Markey for the details. Mr. Markey stated that a 90-day extension was suggested to get the City of Norton past the court ruling that is pending. Mr. Braman moved to place the legislation for a 90-day extension on Councils next agenda, with emergency language and waiving the second and third readings, seconded by Mr. Bergstrom.

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

Motion passed 7-0.

Towing Fees/Administrative Impound Fees

Mr. Nicolard turned this discussion over to Mr. Ryland for the details. Mr. Ryland stated that last year we processed over 400 vehicles for release. Our process is rather lengthy, we have to verify ownership, insurance, check for outstanding warrants, etc. Mr. Ryland stated that in addition some vehicles seized must also be stored at our facility pending any court action, not the impound lots. Mr. Moss stated that ultimately it's the city residents that are paying for this "free service" and we should shift these fees back onto the responsible party. Mr. Nicolard stated that if this takes a city employee over an hour to process the paperwork then a \$30.00 fee is not out of line. Mr. Ryland stated if you also take into account the use of the LEEDS terminal, which is an additional cost, then \$50.00 is not out of line. Mr. Mowery stated that with all the employee time and city resources maybe \$50.00 was not enough to charge, maybe more like \$100.00 or more is more reasonable. There was discussion as to what other community's charge and Mr. Ryland indicated that he believed most communities do not charge a fee for this. Mr. Pelot asked Mrs. Richards to poll the Ohio Municipal Clerks database to see what feedback we get on this. Mr. Nicolard moved to add this to Councils next agenda for a first reading only, with emergency language, seconded by Mr. Zita.

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

Motion passed 7-0.

Unfinished Business:

None

New Business:

Mrs. Hlas asked for discussion on a wage and hiring freeze at the next Work Session.

Public Comment-Agenda and Non Agenda Items:

Ms. Whipkey commented about the 4-way stop at the intersection of Greenwich & Hametown, tonight was the first time she had used it, and stated this was a great job.

Topics for the next Work Session:

Wage & Hiring Freeze

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:22 PM.

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.