



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 24, 2011**

Roll Call: Todd Bergstrom-Excused
 Don Nicolard
 Brenda Hlas
 Bill Mowery
 Ken Braman
 Mike Zita
 Scott Pelot

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

The Regular Council Meeting convened on Monday, October 24, 2011 at 7:02 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, President of Council, followed by the Pledge of Allegiance and a moment of silent reflection.

COMMITTEE OF THE WHOLE:

Mr. Pelot announced that we have two (2) speakers tonight; Ms. Barb Jones from Summit County Development Board promoting Issue #25, and Mr. Bob Hasenyager from Summit County Environmental Health District regarding sewers and septic systems.

Ms. Jones commented on the renewal Issue #25, which is on the November 8, 2011 ballot and noted that this is not a new tax. Ms. Jones stated that over 4,000 residents are provided services from their offices. Ms. Jones handed out some literature about Issue #25, (see attached).

Mr. Bob Hasenyager discussed the recent issues in Norton with inspections of nearly 1,500 residential septic systems, and that about half of these homes or 770 are not able to access because we could not locate the inspection valves or ports. Of those 770 homes, about 10-12% have been determined as failing systems. Mr. Hasenyager stated that the Summit County Health Dept., has changed their approach on repair or total replacement, which he estimated at costs of upwards of \$8,000.00. Mr. Hasenyager stated that we are now looking at inching along with a band-aid type of approach for possibly \$1,000.00 in expenses, mostly due to the pending sanitary sewer lines coming into the city in the immediate future. Mr. Hasenyager stated it was his understanding that there are some misconceptions out there relating to the Ohio EPA. The Phase II Storm Water Regulations require the City of Norton to address this and many lots are considered to be illegally discharging. The EPA is not providing a means to correct this. The County has to look at a home with a failed system and realize how close they are to an existing sewer line. If there is one close enough to their parcel, the homeowner would have to totally finance it on their own to get connected to that sewer line. When another nearby resident fails they would have to do the same, but they would be reimbursing the first homeowner.

Mr. Hasenyager stated that in Springfield Township there are approximately 80% illegally discharging. Mrs. Hlas asked what is being done about the 770 homes that have no inspection valves or ports? Mr. Hasenyager stated that we will require them to install the proper inspection valves or ports which cost \$300.00 for an easy find, or close to \$1500.00 for ones that are harder to locate. Once that process is done we will come out and evaluate it. There was discussion on the type of soils in the City of Norton, and Mr. Hasenyager stated most of Norton has silty loam soil, which is very tight and compacted, and this will be the driver to what type of a system you can install. You also have a history of reasonably high water tables, and most areas are less than 18-24 inches deep. Mr. Pelot stated that poor soil and lot sizes have restricted some homeowners from replacement systems, are there any other options? Mr. Hasenyager replied there is an aerobic system, which can be very expensive at \$7,500.00 to \$10,000.00. These systems require special permits that must be renewed every five years and annual testing which also adds to the expense. Mr. Hasenyager stated that the track record for these systems in Ohio has not been very good and the EPA is not real happy with them when it comes to issuing permits. Ms. Whipkey asked for clarification on the homeowner absorbing all of the cost until another one connects. Mr. Hasenyager stated that the first homeowner is considered more like a developer and they would get reimbursed each time a neighbor has to connect, so eventually they would get paid back, and this is not able to be assessed onto your taxes. Ms. Whipkey asked what happens if you cannot afford it? Mr. Hasenyager replied that if it were enforced, a Judge would have to make an order. Mr. Hasenyager stated that with Summit County, the residents have to pay all costs up front or if 60-70% of the residents sign on then we can do that as an assessment project. Mr. Pelot asked since the City of Norton has come up with a plan to address this, has the EPA taken a step back on this, and Mr. Hasenyager stated he could not confirm that. Mr. Andrew Lehner, 3853 Easton Road, Norton, Ohio, asked how many houses were inspected and are failed on Easton Road? Mr. Hasenyager indicated he would get with Mr. Lehner after the meeting to discuss the details. Mr. Lehner indicated he was concern because they have replaced their system only about 8 years ago. Mr. Pelot thanked Mr. Hasenyager for coming tonight and clarifying some issues.

COMMUNICATIONS FROM THE PUBLIC:

Mrs. Elaine Tompkins, 3848 Cleveland-Massillon Road, Norton, Ohio, spoke regarding the Fire & EMS tax levies and the comments in the recent Norton Post made that the mils would change but the dollars would remain the same. Mrs. Tompkins stated that is not correct. Mrs. Tompkins commented about recent statements Mr. Nicolard made which are also incorrect, these are increases. Mrs. Tompkins stated that she went online with the Summit County Fiscal Officer and reviewed her pending tax estimates for her parcel. Her information showed an increase from \$65.00 to \$133.00 that is an increase. It's a combined replacement levy and she wanted it on the record that everyone should go to the County website and look at your own parcels and check this out for yourselves.

Mr. Andrew Lehner, 3853 Easton Road, Norton, Ohio, spoke relating to what he felt was a sloppy road paving job on Easton Road. There is loose gravel in their yard and recently there was so much loose gravel at the intersection of Easton & St. Rt. 261 he nearly slid through the intersection. Mr. Lehner stated that this really needs addressed and cleaned up before winter gets here. Mr. Lehner discussed the newer speed limit signs and said they need to be closer by Snap Fitness to give more warning to the change in speed in this area.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of October 11, 2011 were approved as submitted.
Minutes of the Committee Work Session of October 17, 2011 were approved as submitted.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Koontz, Mr. Ryland, Mr. Moss and Mr. Kostoff had no reports to offer.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

RES #82-2011

Mr. Mowery offered Res. #82-2011 for its first reading and asked the Clerk to read it:

A RESOLUTION ALLOWING THE MAYOR AND/OR CITY ADMINISTRATOR TO APPLY FOR FEDERAL SURFACE TRANSPORTATION PROGRAM (STP) AND CONGESTION MITIGATION/AIR QUALITY (CMAQ) FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO WIDEN AND RECONSTRUCT CLEVELAND-MASSILLON ROAD, AND DECLARING AN EMERGENCY.

First reading only.

RES #83-2011

Mr. Zita offered Res. #83-2011 for its first reading and asked the Clerk to read it

A RESOLUTION ESTABLISHING AND PROMOTING A TREE PLANTING PROGRAM FOR ALL CITY-OWNED PARKS AND THE MUNICIPAL COMPLEX.

First reading only.

INTRODUCTION OF PRIOR LEGISLATION:

AMENDED

RES #80-2011

Mrs. Hlas offered Amended Res. #80-2011 for its second reading and asked the Clerk to read it:

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE SUMMIT COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE SUMMIT COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the third reading, seconded by Mr. Nicolard.

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

Motion passed 6-0.

Mrs. Hlas moved to adopt Amended Res. #80-2011, seconded by Mr. Nicolard.

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

Motion passed 6-0.

UNFINISHED BUSINESS:

Mr. Nicolard discussed the previous comments about what was stated in the Norton Post on the costs of the fire levy. Mr. Nicolard said that he stated the facts as he knew them. Stringers write articles for the papers, and they are not always printed as submitted. Mr. Pelot also noted those figures are based on a \$100,000.00 valued home, and Mr. Nicolard concurred. Mr. Kostoff commented on Ord. #81-2011 Assistance to Firefighters Agreement, and that all other communities have approved the Exhibit A and signed their legislation. Mr. Pelot questioned the status to the concerns of additional expenses for the AMATS Engineering for Cleveland Massillon Road Widening Project as Mr. Bergstrom had raised. Mr. Ryland indicated that he had met with Mr. Bergstrom last week and thought that Mr. Bergstrom had copied all of Council on these costs. Mr. Pelot stated he was concerned with the 90/10 split as originally stated, after further review it sounds like it will be more like 80/20 split. Mr. Ryland concurred adding that potentially we are looking at preliminary numbers of approximately \$2,200,000.00.

NEW BUSINESS:

Mr. Mowery announced he was holding a town meeting this Friday from 6-9 PM at the Community center to discuss road issues for Brentwood Estates and water meters charges. Mr. Mowery asked Mayor Koontz if any meetings with Barberton were ever held to discuss the meter fees? Mayor Koontz replied we did discuss this a few times, however it was not something Barberton is interested in waiving. Mayor Koontz added that Barberton is also charging their residents the same fee for new meters. Mr. Mowery stated that his residents have been hit the hardest. Mayor Koontz replied we have done our best with waiving over \$1,100.00 in tap in fees. Mr. Mowery moved for the City of Norton to absorb the cost for all of the water meter charges for the Brentwood Estates, and asked for a second. Mr. Kostoff reminded Mr. Mowery that because this involved expenditure, it would require legislation and a vote on this, and he would be happy to prepare the legislation. Mrs. Hlas asked if Mr. Mowery he has an idea of how much money we are talking about here? Mr. Mowery replied approximately \$60,000.00. Mr. Moss asked if that motion would include where we would take the money from? Mr. Mowery replied the General Fund. Mr. Pelot cautioned everyone that if we do this for the Brentwood residents, you are setting a precedent for everyone else. Mr. Mowery argued that you are not, you have neglected these residents. Mr. Pelot reminded Mr. Mowery that was not the case, we waived the \$2,100.00 tap in fee for these residents, and Mayor Koontz added this was not exactly chicken feed.

Mr. Pelot stated that we are not going to take money from our general fund that all of the residents have paid into and give these residents and addition \$300.00 back. Mrs. Hlas stated that Barberton Utilities Department will allow residents to pro-rate that new water meter fee over several months billing cycles, and suggested Mr. Mowery get those details before his meeting on Friday. Mr. Mowery asked for the detailed history of how the new waterline along Cleveland-Massillon Road came about. Mayor Koontz stated it was done to replace the water treatment plant. Mr. Mowery disagreed, stated it was done because the school had bad water and there were problems with the well heads. Mayor Koontz reminded Mr. Mowery that the City owns the water system and it was costing us to maintain it and repair it in addition to the water problems at the school. Mayor Koontz stated that the residents of Brentwood and the school have been served by the same failing water system. After discussions back and forth, there was no second to Mr. Mowery's motion, motion failed.

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Koontz made several announcements (see attached).

Mr. Braman announced the third annual Norton Marines Birthday Party on Thursday, November 10, 2011. All Norton Marines young and old are invited attend, this year it will be at Hopocan Garden, please contact him for the details.

Mrs. Hlas announced the annual Panther Parents Night at the Races at the Barberton Moose is Saturday November 12, 2011. Tickets for the dinner are \$15.00 and if you only want to sponsor a horse, tickets are \$20.00, please contact her for tickets after the meeting.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:06 PM.

Scott Pelot, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on November 14, 2011.

Karla Richards, CMC-Clerk of Council

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

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

