



## COMMITTEE WORK SESSION NOVEMBER 21, 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  
Karla Richards  
Ann Campbell

The Committee Work Session convened on Monday, November 21, 2011 at 7:01 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 reflection.

### **General Topics of Discussion:**

#### Advancement of Funds from Summit County

Mrs. Hlas turned this over to Mr. Moss for the details. Mr. Moss stated that the State provides for this when money is available six (6) months in advance of when the funds are expected. With this drafted resolution we can authorize this. Mrs. Hlas moved to add a Resolution for Advancement of Funds to Councils next agenda waiving the second and third readings, with emergency language, seconded by Mr. Zita.

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

Motion passed 7-0.

#### 2012 Annual Budget

Mrs. Hlas noted that Council just received a partial budget for Fire and EMS shortly before our meeting and since no one has had the opportunity to look it over, she was not sure what we could really discuss.

Mr. Moss discussed the separate funds breakdowns and spreadsheets for Fire and EMS (see attached) Mr. Moss noted that he made deductions in each account for the anticipated cuts to local governments. Mr. Bergstrom questioned the significant changes in payroll from 2008 to 2011 being approximately \$800,000.00 to an increase of \$1,356,000.00. Mr. Bergstrom asked what justifies such an increase, adding that it cannot be all about fires? Mr. Moss replied that yes, it is mostly about fires, but it can relate to other events that drive payroll costs up. You have controlled and uncontrolled spending, activity reports, and EMS runs increasing that will drive up the costs. Mr. Ryland noted that 2008 was a transition year with a change in shifts. Mrs. Hlas stated with the fire levy for the new station some of that was to be used for operating expenses, and questioned if he knew how much that was? Mr. Moss replied no. Mrs. Hlas asked what would be a one-time revenue? Mr. Moss replied that could be a grant received or insurance money. Mr. Pelot questioned the amount listed in PERS Overtime from 2008-2011. Mr. Moss indicated that cannot be correct and will need to be adjusted to the proper accounts. Mrs. Hlas stated this would be continued to the next Committee meeting and urged Council to contact Mr. Moss if they have questions.

#### Res. Of Necessity for Fire & EMS Levy

Mr. Nicolard stated that we would have a resolution to bring forward for the Special Council meeting later this evening. Mr. Nicolard stated this would be for one new levy for four (4) years at a total of 4.6 mills. Mr. Nicolard stressed the urgency for this resolution and asked the Clerk of Council to explain the details. Mrs. Richards stated that the legislation for ballot language must be filed with the Board of Elections by December 7, 2011. Mr. Kostoff stated that if Council adopts this resolution at the Special Council Meeting, the Clerk of Council would be hand delivering certified copies the next day to the Summit County Fiscal Office for them to certify the amounts. We will need that certification as soon as possible for the next piece of legislation to be adopted before that December 7, 2011 deadline. Mr. Nicolard moved to add this Resolution of Necessity to the Special Council Meeting agenda later tonight as an emergency, seconded by Mrs. Hlas. Mr. Bergstrom stated he believed the idea of this levy is to replace all other levies out there. Mr. Bergstrom stated he was not sure that was a good idea, and felt one option could be to just do an EMS levy only and let the Fire Dep., stay as it is. Mr. Bergstrom stated he was not sure all in one is the best idea, especially if the EMS is your big ticket item. Mrs. Hlas reminded Mr. Bergstrom that once you start cutting into the General Fund you'll never be able to stop it, they should be kept together. Mr. Bergstrom stated he was all in favor of keeping the services where they are. Mr. Nicolard stated it would be fine to try it that way, initially they were separated, but the reality is it takes 4.6 mills to make it happen. Mr. Bergstrom questioned the amount of estimated revenue and Mr. Moss replied approximately \$730,000.00. Mr. Bergstrom stated he wants to see more cuts before we do this. Mr. Nicolard asked where from, if you drive to city hall during the daytime the parking lot looks empty, you would swear its closed. Mr. Ryland stated we are down fifteen (15) employees now. Mr. Nicolard questioned the advantage of going back with two (2) separate levies, one may pass and one may fail, we still will be walking on egg shells. Mr. Ryland explained again the cuts to 41 shifts and a three (3) man crew throughout the day.

Mr. Ryland explained the benefits of all the funds coming out of the same bucket, its easier to watch and control the costs, it's a bookkeeping nightmare keeping it all separate. Mr. Nicolard stated this was not done to make life easier for John or Rick, its to keep the residents safe and prevent a catastrophe from happening. Ms. Charlotte Whipkey, Council At Large-Elect, clarified that this levy was different because its for four (4) years and not five (5) like the last one, and questioned the language and that it should state it's a replacement levy. Mr. Moss explained that with levy legislation there are certain legal requirements and you cannot state that. Mr. Kostoff explained that if this new levy is approved, then Council would have to bring forward legislation canceling the older levies. Ms. Whipkey suggested that Council should also be adopting something now to inform the voters of that fact. Mr. Kostoff stated that he would look into something.

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

Motion passed 6-1.

#### Summit County Storm Water Proposal

Mr. Bergstrom stated this was more of a reminder for Council to take the time to review this and respond back to Mayor Koontz. Mr. Bergstrom pointed out that Summit County is trying to solve our drainage problems county wide in order to help the City of Norton. Mr. Bergstrom stated that nothing really needs to be adopted, its mostly for our review and opinion. Mr. Bergstrom noted the proposed cost to an average business owner would be approximately \$2.00 a month and an average homeowner about \$12.00 a year. Mrs. Hlas had concerns with the section stating this would be billed with your city utilities, which we don't do. Mr. Ryland asked Council to take their time with this because Norton is in two (2) watershed districts and questioned how does one separate that. Mr. Tim Crawford, Summit County Councilman, and Norton resident, was present and stated that the funding would be between the communities and that southern Summit County would benefit the most. The Summit County Engineer is looking for a Resolution of Support for some type of a program. Mr. Crawford stated that this is really a long-term process. Mr. Nicolard asked if the residents get to vote on this? Mr. Crawford replied he was not certain, the County Charter states any changes to a tax must go to the people for a vote. Mr. Crawford stated that at this point it's only a concept. Mr. Bergstrom asked about a time frame to address this and Mr. Crawford stated you could take a couple of months. Mr. Bergstrom stated when he spoke with the Summit County Engineers, they did offer to come and speak to Council about this in the future. Mr. Bergstrom stated he would follow up with their office after the first of the year.

#### Approve Assessment Board Report-Newpark Drive

Mr. Braman stated that he spoke with Attorney Justin Markey from our law firm about this report and it was suggested Council approve and pass this resolution. This report also suggested that we come up with another way of assessing. Mr. Ryland concurred that there are other ways besides linear feet, which was used here, however he was not sure what other method is right. Mr. Braman stated that one owner stated the most he lost was \$2,500.00 and questioned what is fair.

Mr. Braman stated that if he understands it correctly, once Council approves this report, we start all over with a new Assessment Board. Mr. Pelot stated actually its back to the drawing board all over again, new formula to assess, then new letters go out to the owners, if they object then a new Assessment Equalization Board with different members would be needed to be set up. Mr. Nicolard questioned the grant funds we received and if we would lose that? Mr. Ryland stated that if we don't come up with a plan that the Ohio Public Works Commission agrees with rather quickly we could lose that. Mr. Braman moved to place this on Councils next agenda with emergency language, seconded by Mr. Bergstrom. Mrs. Richards indicated she is in the process of securing the signatures on the report from all of the Board members, and hoped to have them all by Monday.

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

Motion passed 7-0.

**Unfinished Business:**

None

**New Business:**

None

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

Mr. Patrick Bussey, 3302 Cherrywood Drive, Norton, read from Norton's Chapter 1024.09 Sidewalks, Curbs and Gutters: *(a) The Municipal Engineer shall approve the line and grade of any sidewalk, curb or gutter: (b) All sidewalks, curbs and gutters shall be constructed, rebuilt or repaired under the supervision and direction of the Municipal Engineer and in accordance with the hereby established general construction plans, specifications and standards.* Mr. Bussey stated these streets are all Class II streets and expected to last ten (10) years and have been neglected. Mr. Bussey stated that Driftwood was treated with chip and seal process and he understood the person that made that decision in the past got fired. Mr. Bussey stated that with the recent paving, the curb and gutter on Longwood between Gleenbrook and Driftwod was covered over on both sides with asphalt. How is this justified?

Janice Back, a City of Norton Employee and resident, Administrative Secretary to the Fire Dept, Civil Service Secretary, Records Archivist and Clerk. Mrs. Back stated she was here tonight to bring the Records Retention project to light. Mrs. Back is asking Council to consider providing funding in the 2012 Budget for minimal tools such as a laptop, and a cart on wheels to properly categorize and inventory official records in storage. Mrs. Back stated the concept would be that each department would contribute a nominal fee of \$300.00. Mrs. Back provided Council with a detailed report of the items requested and a sampling of what is currently in storage in various locations (see attached). Mrs. Back explained that for the past several years the Service Department has been the only department that has contributed with their labor, some equipment to build racks and help with the shelving, and they should be given some consideration here.

Mr. Kostoff stated that he has had the opportunity to work with Mrs. Back on the Civil Service Commission and feels she is very dedicated to her work and Chief Schultz would agree with that. Mr. Kostoff stated that public records relate to potential liability costs to the city and he urged Council to please give this careful consideration. Mr. Pelot stated that we don't need a formal resolution we can just direct the Administration to make the funds available from taking a small portion from all departments. Mr. Pelot stated he was an inventory control specialist at his former job and can understand her situation. Mr. Pelot polled the members of Council for any objections to this, and there were none. Mr. Braman stated that everyone should go and visit Janice at the storage garage and take the same tour that he did, she is really working with a handicap here.

Angela Potter, 3783 Lee Ann Drive, Norton, Ohio, read a statement (not provided to Council in time for this packet) relating to being intimidated and bullied recently while in Council chambers, and attending the recent fire levy meeting.. Ms. Potter stated she has requested a copy of the video tape in Council chambers and was told they are no longer available. Mrs. Potter questioned why they are not available especially after a report was filed. Mrs. Potter stated that their vehicle was vandalized after a recent Council meeting to which she did file a report. Mrs. Potter commented about the type of reports she filed and disagreed with the Chief's explanation. Mrs. Potter stated that she does not feel safe for herself or her family and urged Council to look at what's really going on with Administration. There is no need for a resident to feel this way.

Charlotte Whipkey, 4624 Albert Avenue, Norton, Ohio, and Council At Large-Elect, thanked all of those who publicly supported her and elected her to this position that she may be taking in the future next year. Ms. Whipkey stated that this has been a rather shocking time for her and she will do her best to do what they expect of her.

**Topics for the next Work Session:**

2012 Budget. Mrs. Hlas stated that she wants at least one full week for Council to review it before it comes to Committee, so we should see that by Monday.

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:36 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.**