



## COMMITTEE WORK SESSION OCTOBER 15, 2012

**Committee Members Present:** Charlotte Whipkey-Excused  
Dennis McGlone  
Scott Pelot-Excused  
Bill Mowery  
John Conklin-Excused  
Todd Bergstrom  
Don Nicolard

**Also Present:** Mayor Mike Zita  
Rick Ryland  
Laura Starosta  
Karla Richards  
Ann Campbell

The Committee Work Session convened on Monday, October 15, 2012 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Don Nicolard, 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:**

#### Accepting County Rates & Amounts for 2013

Mr. Nicolard turned this discussion over to Mrs. Starosta for the details. Mrs. Starosta stated that this is something Council adopts each year for the County. Mrs. Starosta stated this is in compliance with ORC Section 5705.34 Mrs. Starosta for the details. This will allow the County to bill the rates for the next tax bills. Mrs. Starosta stated that this legislation needs to be filed with the County no later than November 5, 2012. Mr. Nicolard moved to place Res. #84-2012 on Councils next agenda, waiving the second and third readings, seconded by Mr. McGlone.

Roll Call: Yeas: Nicolard, McGlone, Mowery, Bergstrom  
Nays: None

Motion passed 4-0.

#### Continued Planning for Sanitary Sewers-Commercial District

Mr. Bergstrom stated that Mr. Conklin had asked for his memo to be read into the record by the Clerk of Council, (see attached).

Mr. Bergstrom stated he is pleased to see that we are at least looking at other alternatives to our situation and is concerned with the return of our investment. Mr. Bergstrom stated that he stopped by to visit the owner of Perfect Power Wash on Friday and was not able to get together with him. Mr. Bergstrom stated he wants to get their input with this Plan B before moving forward. Mr. Bergstrom stated that he felt we really do not have enough information to move forward. Mr. McGlone noted one thing with Nash Heights is that no businesses were involved in this plan. Mr. McGlone also reminded everyone that as Mayor Zita commented in the past we are not in the habit of forcing anyone to connect. Mr. Bergstrom concurred adding that we need more input from the businesses along this area. Mr. McGlone asked Mr. Ryland if any of the businesses have come forward with interest? Mr. Ryland replied not at this point other than Barberton and the Perfect Power Wash Company. Mr. Ryland stated he liked Phase I of Mr. Conklin's plan and did not care for Phase II and III. These areas are already located in a floodplain and are already a viable business. Mr. Bergstrom stated if we go to Phase I that does move us one step forward to addressing Frashure, and Mr. Ryland concurred. Mr. Nicolard stated he agreed with Mr. Ryland on the Phase I, as it would retain business. Mr. Nicolard stated he would support a resolution only with Phase I. Mr. Bergstrom agreed adding that we should offer an invitation for Perfect Power Wash owners to come in and talk about this. Mr. Ryland noted the businesses affected in this area are Ken's Car Care, the Wing Warehouse, Perfect Power Wash and that old Marathon Gas Station on the corner across from Ken's Car Care. Mr. Bergstrom cautioned the use of emergency language, as this was addressed with residents concerns with abusing that in the past. Mr. McGlone also agreed with only moving ahead with Phase I and getting all affected business owners here to discuss this in detail. Mr. Nicolard suggested moving this to the next Work Session and send notices to all parties involved. Mr. Bergstrom moved to continue this to the next Work Session and for the Administration to make proper notification to these affected owners. Mayor Zita stated agreed that we would need to address the C & D Facility for into Phase I to alleviate our issues. Mr. Ryland stated that right now they have an acceptable solution with the EPA to contain the leachate. Mr. Bergstrom expressed his concern with just how long that C & D will be there, and Mr. Ryland noted that he is also concerned as they are in their final phase, and will eventually be walking away. There was discussion as to the process of removing the leachate from this C & D facility. Mr. Mowery asked if we have reports of failing septic systems nearby that C & D and Mr. Ryland replied he was not sure about this. Mr. Mowery stated it would be a hardship to the residents and businesses to run a sewer line up to Collier Road. If there is a problem with this C & D we should be able to hold their feet to the fire to and make that owner do something on his own. If we do not he could eventually dump effluent onto us when he pulls out and leaves this facility. Mr. Mowery asked who is monitoring what is going in and out of that C & D and Mr. Ryland replied the County Health District is monitoring it. Mr. Bergstrom stated that he agreed with not moving east on St. Rt. 261 except for the C & D facility. Mr. Bergstrom moved to place this on the next work session with time to be verified with the business owners, seconded by Mr. McGlone. Mr. Bergstrom also suggested we keep on the future agendas to discuss and monitor what is going on with the C & D Facility. Mr. Mowery asked if we have a roster of the businesses along St Rt. 261 and Mr. Ryland replied no, however one could be created. Mr. Mowery stated these property owners should be notified as to what is going on for all of the phases we propose.

Roll Call: Yeas: Bergstrom, McGlone, Mowery, Nicolard.  
Nays: None

Motion passed 4-0.

**Unfinished Business:**

Mr. Mowery asked if the EPA ever designated “hot spots” within the City and if so did the EPA notify the residents/businesses one on one? Mr. Ryland stated first off its not the EPA it would be the Summit County Health Dept that would do any notification and inspections and that information is filed with the City. It is the City’s responsibility to report our water quality fall outs to the EPA. Mr. Ryland stated that we are the holders of the MS4 permit, and as the permit holder we are required to file with the EPA. Mr. Mowery asked where the specific areas are and Mr. Ryland replied, Sherman, Airport, Flesher Allotment, the flats on Sr. Rt. 261, Nash Heights, Bliss, Garret, and Roop. Mr. Ryland stated that you are allowed a fecal coliform fallout count of 5,000 PPM, and we have bad fecal coliform counts throughout the entire city. Mr. Ryland replied the residents would know if they have had an inspection because they are required to pay the \$75.00 inspection fee. If they receive notice that are required to correct it and Mr. Ryland stated if it discharges off of your property into a ditch that is an illegal system under today’s regulations. Mr. Bergstrom stated he believed that if you were permitted to put in a mini package plant you were allowed to continue use. There was discussion as to the various alternative systems available and the extensive costs involved with them. Mr. Bergstrom discussed the 2013 Road Program and the need to keep that on the front burner. Mr. Ryland stated that it is our intention to submit the roads we feel needing repair to Council and to participate in the Summit County Road Program. Mr. Ryland stated the meeting with Summit County did take place last week and we need to have the reports to the County by January 2013. The only drawback is if you do bid, you are responsible to spend the money and follow through with it. Mr. Ryland stated we would still be bringing this forward to Council in November. Mrs. Starosta stated her initial review of the 2013 Budget still shows the same level we anticipated for this year of \$430,000.00. Mr. Bergstrom asked if this would include pushing that up higher as we discussed and Mrs. Starosta concurred.

**New Business:**

Mr. Ryland stated several months ago we discussed the waterline project on 31<sup>st</sup> Street and Cleveland-Massillon Road, noting that the City’s cost share is \$1,000,000.00. Mr. Ryland stated our financial options are to either pay the costs from the trunk line fund and the water supply fund, or a combination of an assessment option. Mr. Ryland noted that this is a zero percent interest loan from the State for a 20-year period and is for roughly \$1,000,000.00. Mr. Ryland stated he is meeting tomorrow at 9 AM to get all of the details. Mr. Mowery asked Mr. Ryland to check into the new recycling facility east on St. Rt. 261 because he is getting complaints that this is slowly becoming a C & D. Mr. Ryland stated this is a recycling facility and all products are to be shredded and removed from the location and it's to be hauled out on a regular basis, but we would look into that.

**Topics for the next Work Session:**

John Street TIF Financing Mr. Bergstrom asked for a 1-page breakdown as to what the process is and Mr. Ryland stated he is still working on that, and that Mr. Moss had started this process.

Solar Energy Agreement

Continued Planning-Sanitary Sewer for Commercial  
Waterline for 31<sup>st</sup> Street & Cleveland Massillon Road

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

Kathy Hall-Stalnaker, 5895 Grove Road, Clinton, Ohio, stated she is representing the Hall property at 1886 Wadsworth Road, and their farm that has been there for 60 years. Mrs. Stalnaker thanked the one Council member that brought this to their attention. Mrs. Stalnaker stated that this issue is devastating to her, her family's farm, and all the residents affected with this emergency issue. Mrs. Stalnaker stated that there would be more issues coming up about this in the future.

Mr. Andrew Lehner, 3053 Easton Road, Norton, Ohio, stated he is disturbed with one thing about the agenda item A, and if you don't listen to us you will be recalled.

Lee Beaty, 3280 Aldon Lane, Norton, Ohio, commented on things we have not done in this community in the past, such as accepting a whole lot of money for building a new school system and we let that pass us by. Just look around us and see what the other communities like Wadsworth and Barberton now have. The voters turned this down, but the blame lies really with the City Council. Most City officials are only interested in following their own agendas. Mr. Beaty discussed the sewer issue and appreciated the fact that you are re-thinking this. Now you have the opportunity to either pursue the same agenda or find us a compromise. We have the fire levy coming up and a lot of people say they will not vote for it, they don't have the money and the same goes for the school levy. At some point we have to hold you elected officials accountable and say look you have to start doing what is best for the community and not your own agenda. Its time to hold the leadership accountable.

Paul Tousley, 4536 Garrett Drive, Norton, Ohio, spoke about the agenda item B and he took a look at the proposed property in Phase I, and was happy to see you are not moving forward on Phase II and III. Mr. Tousley asked has anyone contacted our elected officials in Columbus to tell them to tell the EPA to back off? Mr. Tousley clarified that the Frashure Development has sewers and Mr. Ryland concurred. Mr. Tousley noted that Heritage Parkway and Oakpoint Drive might be private land. Mr. Tousley questioned if it is feasible to move the sewers from Oak point across that land and get an easement from that owner? Ryland stated it is feasible if you want to relinquish ownership to the County? Mr. Tousley asked what is the down side to that and Mr. Ryland stated if there would be any revenue generated it all goes to Summit County, nothing comes to Norton. Mr. Tousley asked if there are any residents in Phase I and Mr. Ryland replied yes. Mr. Tousley discussed previous statements about getting businesses to come here to help ease the taxes on the citizens.

Mr. Tousley stated if you put a \$15,000.00 to \$20,000.00 assessment on his home, how is this ever going to help the citizens? Mr. Tousley discussed the comment earlier that you do not force people to tap in and questioned if that policy could that be trusted in the future? Ask the audience if they feel we can trust you now or in the future. Mr. Tousley discussed Barberton really being interested and if so if they have a financial gain in this somewhere then we should ask them to pay for it.

Robert Copen, 2518 Sue Lane, Norton, Ohio, discussed the comments and issues of the Fire Department and that its been incorrectly stated that Mayor Zita was not a paramedic. Mr. Copen stated that he was indeed and that he was with him at that same time. Mr. Copen stated that back then the State did not recognize paramedics; it was the hospital that you trained that issued you the certification. Mr. Copen noted that the laws have now changed and it is the State that certifies your paramedics. Mr. Copen stated he served as a firefighter-medic for the last 25 years, and 20 of those years was with the City of Norton. He started out originally with Copley and served under five (5) Fire Chiefs. Mr. Copen stated he promoted out several firefighters. Going back to the 1980s you had a 36-hour fireman, and he knows just enough to get hurt, and be dangerous and he does not know enough to put out fires, and he cannot assist on structure fires. Mr. Copen stated that Norton now hires only 265 hrs. Firefighters/Medics, which is exactly what Akron and other cities, do. You are lucky to have our Firefighters also certified as Medics. Mr. Copen discussed the response time and water access, and that comments were made we led this church burn to the ground just to make a point. Mr. Copen discussed the fire at Grace Church and that there was a fire hydrant in front of that church, so there was plenty of water and we put that church fire out. With this recent fire, the response time was extremely slow, there was no water available and when they arrived it had been burning for quite some time. Mr. Copen offered to answer any questions relating to Firefighter and Paramedic training requirements.

### **Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:55 PM.

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Don Nicolard, President of Council

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

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