



COMMITTEE WORK SESSION JUNE 4, 2012

Committee Members Present: Dennis McGlone
Charlotte Whipkey
Scott Pelot-Excused
Bill Mowery
Todd Bergstrom
Ken Braman
Don Nicolard

Also Present: Mayor Mike Zita
Rick Ryland-Excused
John Moss
Karla Richards
Ann Campbell

The Committee Work Session convened on Monday, June 4, 2012 at 7:04 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:

Amend Chapter 660.14-Noxious Weeds

Mr. Nicolard turned this over to Mr. Kostoff for the details. Mr. Kostoff stated the Zoning Inspector had inquired about having a more efficient way to serve notice, and allow a quicker process to get the high grass mowed. Mr. Kostoff referenced the Akron City ordinance, which streamlined the notification process for the entire year. This will allow us to cut the grass in a faster manner. Mr. Nicolard stated the current process is that we send notice in mail and post it on the property. The new process will remove the second notice. Ms Whipkey asked if there is any leniency for someone in the hospital or out of town? Mr. Moss stated if that is the case, then Administration needs to be contacted. Mr. Jim Lino, 5058 Grove Avenue, Norton, Ohio, asked how high do the weeds need to be on city property? Mr. Lino also inquired about the on and off ramps because it is a sight issue and bushes and trees are also becoming an issue. Mr. Kostoff discussed the city's liability for a safety issue and there is a time line to follow once the city is put on notice. Mr. Lino commented about the Employee Action Forms available at city hall, and that they seem to work well in getting things addressed. Mr. Kostoff encouraged any resident not to wait for a Council or Committee meeting to bring a safety issued to our attention.

Amend Chapter 660.14-Noxious Weeds Continued:

Mr. Nicolard moved to place this legislation on Councils next agenda, seconded by Mr. Braman.

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

Motion passed 6-0.

PC Resolution #14-2012 Rezone 5225 Wooster Road

Mr. McGlone stated this request is for a medical office and turned the discussion over to Mr. Moss for the details. Mr. Moss stated this was the former Rice Agency and the intended use is for a doctor's office, and a change from I-1 to B-1. It is a smaller and triangular lot configuration. Mr. McGlone stated we really don't want to turn any business away. Mr. McGlone corrected the address in the drafted ordinance, it should be 5225 throughout and not 525 and that the Clerk of Council has already made that correction. Mr. McGlone moved to place this legislation on Councils next agenda with emergency language for a first reading only, seconded by Mr. Bergstrom. Mr. McGlone inquired about the Public Hearing and the Clerk of Council advised it would be on June 25, 2012 at the second reading.

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

Motion passed 6-0.

OPWC Grant Application-Nash Heights

Mr. Nicolard turned this discussion over to Mr. Moss. Mr. Moss stated in order to apply for the Ohio Public Works grant this legislation is required and we are looking for a zero percent interest loan. Mr. Bergstrom stated that we need to do whatever we can to get all of the financial tools into our toolbox. Mr. Bergstrom clarified this is not the end or our solution for the final plan. It would be nice to be able to continue to lobby the State for this change to allow a septic system to be replaced with sanitary sewer. Mr. Mowery questioned what might come out of this finance or money wise? Mr. Moss stated this is a zero percent interest loan and the limit is 1.2 million dollars. Mr. Moss stated we are actually applying for this twice so that would be a total of 2.4 million dollars. Mr. Moss stated we are not required to accept this funding if something else should become available. Mr. Moss stated if you do accept you are obligated to the terms and conditions. Mr. Moss recounted the same process was used for the Newpark Drive area, the grant was approved but we did not go forward with that because the rest of the project was never funded. Ms. Whipkey asked if this is just for Nash Heights, and Mr. Moss replied yes, although it is broken down into two (2) projects. Ms. Whipkey inquired if there are limits as to who can apply for this loan. Mr. Moss stated this application is for the city only. If we lower the costs to the city, it will lower the cost of the entire project, which will be passed on to the residents.

OPWC Grant Application-Nash Heights Continued

Mr. Moss stated that we finance everything the city does including the parts that are assessed, and if we finance at zero interest then the interest cost to the residents would also be zero. Ms. Whipkey stated that if it's a total of 2.4 million and we apply that to Nash Heights, would that come off the peoples balance? Mr. Moss clarified that interest does not apply to the balance unless you don't pay it. This application is for Nash Heights only and cannot be used for other projects. We are looking at possibly applying for OPWC grant money again for Newpark Drive to see if anything is available now. Mr. Nicolard stated its very clear we are exhausting every effort we can to come up with as much Federal or State funding to lessen the burden the residents. Anything we can do in this direction would be beneficial to this project. Mr. Moss stated this project funding is available for 30 years instead of 20 years because when you are going out for 30 years with zero interest it makes more sense. Ms. Whipkey clarified if we would be able to assess the residents for 30 years instead of 20 years? Mr. Moss clarified for sewer you can go out as far as 30 years, however he would defer this to Bond Counsel. The limit is you cannot borrow money for longer than the life expectancy of the asset and he believed sewers are rated at 50 years. Mr. Mowery asked what are our chances for qualifying. Mr. Moss stated that there are several others applying with different ratings or points, but he was confident that we would qualify. Mr. Nicolard moved to place this legislation on Councils next agenda, with emergency language, seconded by Mr. Braman.

Roll Call: Yeas; Nicolard, Braman, McGlone, Whipkey, Mowery, Bergstrom
Nays:

Motion passed 6-0.

Hiring of Finance Director

Mr. Mowery moved to amend Ord. #38-2012 due to a typo error. It is to read Section 5.02 (a) not 5.06 (c) seconded by Mr. Bergstrom. Ms. Whipkey asked if the job description has changed at all, and Mr. Moss stated it is the same. Ms. Whipkey specifically took issues with the two (2) year supervisory requirement? Mr. Moss stated she has supervised for the City of Norton in the past before she left, adding she currently supervises seven (7) employees in her current position and has accumulated 2 years by now. Mayor Zita added that they also do in house income tax there also.

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

Motion passed 6-0.

Mr. Mowery moved to place this legislation on the Special Council meeting agenda, seconded by Mr. Bergstrom.

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

Motion passed 6-0.

Unfinished Business:

Mr. Moss gave an update on the loan application for the Joint Dispatch Center. We did authorize an application through LGIF to cover the \$500,000.00 in capital improvements necessary to build the Joint Dispatch Center. We do have word back that we have been approved for this loan and will report on what exactly was approved at our next meeting.

New Business:

Mayor Zita noted that today was the first day for Safety Town, and circulated some pictures (see attached). Mayor Zita stated that we have 145 students that signed up this year, and that this might in fact be the most ever attending. There are two classes, one in the morning and another in the afternoon. There are three lanes established in the parking lot area for drop off and pick up for the children. Ms. Whipkey stated she has talked to some residents on Wooster Road and they will be required to tie in to the sewer lines in July. Ms. Whipkey stated these residents have been aware of the waivers of other areas getting a relief for the tie in fees. Ms Whipkey stated she would like to see something done for all residents that have to tie in. Mr. Braman stated it was discussed briefly a couple of times in the past and were waiting on something from Administration on it, but maybe we could address this for a short time. Mr. Braman stated that it had been discussed to running a special on it for 3 months or so. Mr. Moss stated this line was put in many years ago, it is not a new line and he believes state law says you have 4 months to connect and we haven't done anything since it was put in. It has been a long, long time since original notices to connect were sent out. Mayor Zita pointed out the line was put in when Claude Collins was here. Mr. Bergstrom stated he recalled past discussion about the depth of the lines in this area was costly due to the depth and that we would be putting in some type of an extra lateral at shallower depth. Ms. Whipkey stated she believed at the time the lines were put in we were operating under the pretense that you wouldn't have to tie in until you failed or the health department required it. A lady was given notice for connection by July 26, 2012, and she has heard of more receiving notices since then. Mr. Moss stated there could have been a rule imposed by the State after the sewer lines were put in. Mr. Braman stated Isolab had put in and it was deep, perhaps 18 feet. Mr. Moss suggested getting the names of the homeowners and we would have the Administration communicate directly with these residents. Mr. Copen, 2518 Sue Lane, Norton, Ohio, stated Isolab Company originally put in this sewer line at their expense and no one else was permitted to connect with the exception of the Norton Fireman's Bingo Hall. Mr. Copen stated the Bingo Hall was the only one allowed to connect because of an easement they granted. These residents were originally informed that they could not connect to that private line. Mr. Lino recalled the same fact, and that when we had a lady Mayor and she had proposed an 8-inch line was to be put in because JR Wheel was constructed. At the time these residents felt that was inadequate for this area. Mr. Bergstrom recalled asking in the past if the size of this line was adequate for that area and perhaps we should look at dealing with that before tap ins take place. Mr. Lino stated that when JR Wheel was built and expanded and there was a newer sewer line installed. Mr. Braman also recalled the discussion on putting in more shallow lines in this area.

There was discussion if these residents want to connect would they pay the city or the developer. Mr. Moss stated he did not know and that issue should be directed to Summit County. Mr. Kostoff added there should be a development agreement for reimbursement on record somewhere relating to this. Mr. Nicolard stated that if Summit County is the one mailing out these letters, surely they would know if these lines were adequate for the residents to tap into. Ms. Whipkey asked for an update from Mr. Moss on the over weight scales. Mr. Moss stated he understands the Police Department is still struggling with this issue. Ms. Whipkey asked if the certification is completed and Mr. Moss stated he believed they are still not certified. Ms. Whipkey asked what the problem is and Mr. Moss stated he wasn't involved with the process of getting them certified, but guessed there is some finger pointing going on. Mr. Whipkey asked if we had tarried too long and there is a problem with going back on the company? Mr. Moss stated yes, it was an issue and there are all kinds of ways to point the fingers; they are working on it.

New Business:

Mr. Nicolard noticed there was a Boy Scout in the audience and asked him to come forward. Mr. Peter Miller 3604 Clark Mill Road, Norton, stated he is working on his merit badge, and took up the issue with the noxious weeds as his project. Mr. Miller asked is there anything the citizens can do to help? Mr. Moss offered the neighborly approach offering to mow your neighbors lawn with their permission, however we are also dealing with some vacant properties. Mr. Bergstrom noted that you could make your neighborhood look really nice by just taking your mower along and mow some yards.

Public Comment-Agenda and Non Agenda Items:

Mr. Tom Kornas, 3771 Brookside Drive, Norton, Ohio, spoke regarding the septic issues in Norton. Mr. Kornas stated his research shows 1 in 4 homes across the United States have a septic system. Mr. Kornas stated he believed this all revolves around revenue. Mr. Kornas asked for an accounting of funds for assessment projects, where does that money go? What fund did this money go into? Mr. Moss stated we normally do not respond during Communications from the Public. Mr. Moss suggested Mr. Kornas contact him and they could have more detailed discussion and he would explain the process in detail. Mr. Kornas stated he wants to see all of the accounting for this \$60 million being spent. Mr. Kornas mentioned one neighbor just bought a new home and now they are being assessed. Mr. Moss stated there have been recent home sales in Nash Heights and the EPA has been granting temporary permits for a septic system. Mr. Moss stated that part of that process is that the new home owner must sign an agreement acknowledging this is temporary and they will connect to sanitary sewer when it comes available. Mayor Zita stated that we have been talking about sewers for 20-25 years. Mayor Zits stated it would only be a matter of time before it gets to any neighborhood. Mr. Kornas asked why? Mr. Moss and Mayor Zita both replied it is because of the EPA. Mr. Moss elaborated on the law from 1960's called the Clean Water Act, which was passed to clean up areas. The EPA states if your community is polluting the waters, you must fix it. That is a mandate and it is a law. Mr. Kornas asked if we have documentation on that and Mayor Zita replied yes.

Mr. Moss stated the EPA requires outfall testing periodically and we have failed that testing. Some of our fall out counts is five times the legal limit in some neighborhoods. We are targeting on trying to fix those areas and Nash Heights is one of those areas of concern. Mr. Kornas asked if the old motel had anything to do with those counts and Mr. Moss replied yes it is possible, however that property was sold and is now connected to sanitary sewers. Mr. Moss stated there is current testing going on and he believed those numbers might not be lower in this area. Mr. Moss stated he did not believe the testing would not show as clean. Mr. Kornas asked who did the testing. Mr. Moss stated the city is required to do the outfall testing and is not sure who actually is doing the testing for us. Mr. Moss suggested Mr. Kornas request a copy of Mayor Koontz's power point presentation as much of this information is contained in that. Mr. Nicolard stated his parents bought a home in Norton in 1960 and they were informed they would not need to have their tanks pumped because sanitary sewers were on the way. Needless to say they have had their tanks pumped numerous times since then.

Topics for the next Work Session:

Mr. Bergstrom wanted more discussion on investigating the over all costs for sewers and the financing it requires. Mr. Bergstrom stated he wants to see costs breakdowns that include maintenance long term, connection fees, etc. This may have already been calculated, but we need to have that information and be clear on the specifics. Mr. Bergstrom stated we also need a good rate study for our sewer system, it appears that no one really has a hand on the long-term maintenance cost for sanitary sewers to the residents. Mr. Bergstrom discussed setting a standard price cost for every resident because would not be fair if grant money was available for one area and not another.

Mr. Braman wanted discussion on the Wooster Road West, sanitary sewer connections.

Mr. Nicolard asked the Clerk of Council to send another email to our elected officials as to the status of securing any grant money for these projects.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:02 PM.

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.