



COMMITTEE WORK SESSION MARCH 4, 2013

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

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

The Committee Work Session convened on Monday, March 4, 2013 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:

Mr. Nicolard noted that we need to add an item to the agenda. Mr. Conklin moved to add item #6-Approve contract with Campbell Construction to construct the sanitary sewer line at the Service Garage, seconded by Mr. Pelot.

Roll Call: Yeas: Conklin, Pelot, McGlone, Whipkey, Mowery, Nicolard
Nays: None

Motion passed 7-0.

Employee Health Care Plan

Mr. Nicolard turned this discussion over to Mr. Ryland for the details. Mr. Ryland stated that last July we received a 9% increase in addition to a December increase of 14.65% for our current plan. We found this to be unacceptable and went looking for other plans and prices. We found our exact plan at a 2% decrease in premium from the 14.65% and the only change is that we will now contract with COSE. We are in negotiations and the current contract is in flux because of this and we must maintain that until negotiations are complete with the bargaining units however we need this in place now for the non-bargaining employees.

Mr. Pelot questioned the information in the drafted legislation as it related to a contract with Health Care Consortium and not COSE. Mrs. Starosta stated that in July 2011 we had a renewal that carried us through July 2012, and the new agreement for 2013 it will be with COSE.

Mr. Nicolard moved to add this to Councils next agenda with emergency language, waiving the second and third readings, seconded by Mr. Pelot.

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

Motion passed 7-0.

Purchase Fire Dept. Vehicle

Mr. Nicolard turned this discussion over to Mr. Ryland for the details. Mr. Ryland stated that this is to replace the duty officer's vehicle, the current vehicle has the body rusting off of the frame and with twelve (12) to thirteen (13) years of service it is in need of replacement. Mr. Ryland stated he believed that this vehicle would last longer because it would be stored inside and the last vehicle sat outside the entire time. Mr. McGlone asked if this was within the 2013 Budget and Mr. Ryland concurred that it is. Mr. Nicolard moved to add this to Councils next agenda with emergency language seconded by Mr. Pelot.

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

Motion passed 7-0.

Purchase Service Dep. Equipment

Mr. Bergstrom turned this discussion over to Mr. Ryland for the details. Mr. Ryland stated we decided to go a different route for this replacement with a different machine than can go off road for additional repairs. Mr. Ryland stated that this is a different machine to replace the 2000 Grade All that was a prototype and since 2002 we have put over \$52,000.00 into repairs. Mr. Ryland stated we recommend a lease due that the first payment would be one (1) year after receipt of equipment with annual payments of about \$12,000.00 or \$13,000.00 and at the end of the five (5) year lease we would own the equipment. Mr. Pelot asked about the interest costs and Mrs. Starosta replied the rate is 2.65%. Mr. Ryland stated we would get \$35,000.00 for a trade in on the Grade All. Ms. Whipkey stated that it may sound like a lot money, but when you think that we had been spending \$6,000.00 to \$7,000.00 per year in those repairs, it makes sense to replace it. Ms. Whipkey stated that we do need to buy a trailer for \$7,000.00, which can also be used for other needs. Mr. Bergstrom moved to add this to Councils next agenda with the lease agreement point of view with emergency language, seconded by Mr. Conklin. Mr. Pelot asked when we would take possession and Mr. Ryland stated the day after passage of the legislation. Mr. Ryland noted had this had been in our possession for a one (1) week trial.

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

Motion passed 7-0.

Cleaning Contract for City Property

Ms. Whipkey stated this is a contract for a new cleaning company for all of our city buildings, windows, and community center. In the past we had Romaster Corporation and now we are looking at going with Four Corners Company. We did receive prices from two or three other companies. Ms. Whipkey questioned why she did not know about this before now since she is the property Chairperson and noted that Romaster is a Norton company. Mrs. Whipkey asked where Four Corners Company is located and Ms. Starosta stated they are in Barberton. Ms. Whipkey asked how long Romaster was under contract and Mrs. Starosta replied the last contract the most recent contract was from 2011. Ms. Whipkey stated that as far as pricing goes, she felt Romaster was the cheaper company. Ms. Whipkey asked about the legislation granting a local business preference and Mr. Nicolard stated that the legislation provides that if they are within ten (10) percent up to a certain dollar amount the contract would be awarded to a Norton company. Mr. Nicolard also noted that he understood that Romaster was not asked to bid. Ms. Whipkey discussed the complaints and the issue of damages with Romaster at the Community Center and Mr. Ryland concurred and noted that we have been unsatisfied with the quality of their work for some time. Ms. Whipkey stated that she would like to see that we stay with Romaster and give them an opportunity to work with us. Mr. Nicolard agreed with Ms. Whipkey. Mr. Ryland noted that Romaster did not have to bid because they are the current contractor. Mr. Ryland noted the issues have been raised with the owner and they have not provided their employees the proper time to allow them to do their jobs. Ms. Whipkey stated as the Chair of Property, she wants to keep them. Mayor Zita discussed the issues with rental at the Community Center. Mr. Nicolard stated he wants to have continued discussions and have a meeting with the owner. Mr. Bergstrom questioned just how are we to monitor their performance? You need to allow the Administration to have their say on the performance since they are the ones who are here everyday, not us. Ms. Whipkey stated she has not had any complaints other than from Mr. Mowery and it hadn't been cleaned properly before he used it. Mr. Ryland stated if you walk into the copier room your feet will stick to the floor and they mopped the floors this past Saturday. Mr. Nicolard strongly urged for one more consultation to give them one last opportunity. Mr. Nicolard discussed the hours and frequency of service. Ms. Whipkey stated she would like to see a copy of their contract. Mr. Pelot stated as with any Norton business, if they are not providing the proper service, why would you continue to pay them. That's all the more reason they should have stepped up and corrected the issues. Ms. Alice Wagner, 4168 Hawaii Avenue, Norton, Ohio, stated that when we had the bingo hall those that rented it would be responsible to clean up the mess. When you are hiring someone that should be clean before and after. When the renters are getting the facility for free, all areas should be cleaned. Ms. Wagner stated that when they had the bingo hall we always hired businesses from Norton, we never went outside.

Mrs. Karen Harley, 3432 Harper Avenue, Norton, Ohio, questioned the terms of the current contract and if it states the number of hours provided? When she hires someone to clean her home there was a minimum time frame of two (2) hours set to complete the job. Mrs. Harley stated that you should look into that and require a set number of hours. If the city has a time clock then have the cleaning lady time in and time out. If an hour is not enough to do the job, then work on fixing that. Mr. Bergstrom stated he believed this is set up on a performance product not so much time restrictive. Ms. Harley agreed with Ms. Wagner if you rent the community center, they you should be leaving it the way you found it or you should be penalized. Ms. Whipkey stated she is not ready to move forward on this and wants to review the contract with them. Mr. Ryland stated he is doing contracts this week, maybe Ms. Whipkey should join him. Mr. Ryland stated this micromanaging by Council is getting ridiculous. Ms. Whipkey stated she felt this is part of her job. Mr. Nicolard stated that being in the day to day operations is not the legislative part of Council, however approving such a contract definitely is Councils job. Mr. Nicolard stated he just voted no on this issue in the recent Board of Control meeting just because Romaster is a Norton business. Mr. Ryland stated that what you are saying is if you are Norton business and doing a lousy job then that's ok? Mr. Nicolard stated that is not what he is saying, he wants a consultation with the owner one more time. Mr. Bergstrom stated you need to allow the Administration to take care of this and do their job. Mr. Pelot stated there is no loyalty to a Norton business if they are providing a substandard service, this is the taxpayers that are paying the bill. You just don't pay a company that is not doing a proper job, especially after you have had conversations. Mr. Pelot apologized and stated that normally he would not do this, however Mr. Pelot stated as Vice Chair of the Property Committee he moved to go forward to the next Council meeting contract, seconded by Mr. Bergstrom. Mr. Rick Rogers, 3044 Wadsworth Road, Norton, Ohio, asked why don't you give them a sixty (60) day notice with a performance standard that they must meet? Mr. Rogers asked if Romaster was informed that you are looking for other contractors? Mr. Ryland stated he could not say one way or the other. Mr. Rogers stated so then we are stabbing a Norton business in the back. You should give them a sixty (60) notice that if they do not perform a better service you will seek other contractors. Mr. Rogers asked if you looked for any other Norton companies, and asked how did this other company come about? Mrs. Starosta replied that we randomly get proposals from other cleaning contractors and some contact the City asking to do a walk through. We selected three (3) companies that have done so in the past. We asked each of them to prepare a current price quote for us and two (2) out of the three (3) companies replied. Mr. Rogers asked if you looked for another Norton company and Mrs. Starosta replied that she did not. Mr. Mowery stated that Four Corners Company cleans for Acme and he would abstain from the vote, because he has done business with the same company. Ms. Whipkey asked if an abstain is considered as a yes? Mrs. Richards replied that an abstained vote goes with the majority vote, so if the majority votes yes than the abstained vote would be counted as a yes.

Roll Call: Yeas: Pelot, Bergstrom, McGlone, Conklin,
Nays: Whipkey, Nicolard,
Abstain: Mowery

Motion passed 5-2

Amend Ord #95-2012-Waterline Cost Share With Barberton

Mr. Conklin explained that this is necessary due to incorrect numbers from Barberton and the legislation needs to be corrected. Mr. Conklin turned this discussion over to Mrs. Starosta for the details. Mrs. Starosta stated that last year Council had previously adopted legislation for this and the number in the legislation was incorrect. Mr. Bergstrom asked what is the difference in the numbers and Mrs. Starosta replied it is about a \$35,000.00 increase. Ms. Whipkey clarified that is \$34,037.03 Mr. Conklin moved to add this legislation to the Special Council Meeting immediately following this meeting, Mr. Conklin moved to place this on the Special Council Meeting agenda, seconded by Mr. Bergstrom. There was discussion that Barberton also has to amend their legislation as well since they are the lead in this joint project. Mayor Zita stated this is roughly over a \$2,000,000.00 project.

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

Motion passed 7-0.

Approve Contract for Service Garage Sanitary Sewers

Mr. Conklin stated this was addressed in the Board of Control earlier and is for the sewer line at the service garage. Mr. Conklin turned this discussion over to Mr. Ryland for the details. Mr. Ryland stated that this comes from the violation letter from the EPA that the City received and also requires a petroleum separator. Mr. McGlone asked if the money is coming from the tax credit and Mrs. Starosta stated she is taking the oil separator costs from the Service Dept. Fund. Mr. Conklin moved to add this legislation to Councils next agenda waiving the second and third readings, seconded by Mr. Bergstrom.

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

Motion passed 7-0.

Unfinished Business:

Mrs. Starosta asked to discuss item #5 and that she is requesting to waive second and third reading as to not hold up the contractor. Mr. Pelot stated we could address this at the Special Council meeting. Ms. Whipkey stated she understood from Mrs. Starosta that there has been a request for information relating to sewer assessments, tax credit, etc. Mrs. Starosta stated what was requested is for a balance sheet with debit/credit line items for each assessment project. Mrs. Starosta indicated that this is not a record that she current holds in here office. Ms. Whipkey asked when Mrs. Starosta would start working on that and Mrs. Starosta replied that she would not be working on this. Ms. Whipkey asked why she is not going to be working on this request? Ms. Starosta replied that we keep records on a fund accounting basis and it is not necessary to go through that task, however she would provide any information that she does have.

Mr. Nicolard stated that information is available but they would have to come in to the office to find it. We do not create a special report for every person that makes a request. We are not going to spend our time doing that especially with the short staff that Mrs. Starosta has and she does a very good job keeping up with everything. We are not required to generate such a report by State law. Ms. Whipkey discussed having this information prepared for clarification. Mrs. Starosta stated that she had contacted the requestor suggested he come in and meet with her so that could sit down and discuss exactly what he is looking for. Mr. Nicolard discussed the many different line items associated in various accounts, the information is there and open to the public.

Ms. Marjorie Ashbrook 3433 Greenwich Road, Norton, Ohio, discussed an estimate she had received from Summit Excavating on March 7, 2012 to hook up to the sewer line from the street to her home. The price is \$7,400.00 and could increase due to how far the house is from the hook up lines. That amount is due when the work is completed. There is no payment options. Ms. Ashbrook stated that she and everyone on Greenwich Road was assessed \$15,000.00 plus interest. You have 30 days to pay this. Her taxes went up \$1,000.00 a year for 20 years. Mrs. Starosta clarified that the \$15,000.00 figure was the tentative assessment, not the final assessment. Mr. Ryland stated that the final assessment was \$12,904.00 not \$15,000.00. Mr. McGlone questioned the interest rate because that \$1,000.00 increase was really high. Mr. Ryland stated he questioned that \$7,000.00 cost from Summit Excavating because we just got a quote for the Historical Society for \$5,100.00 for connection and collapsing the existing septic system. There was discussion about all of the different assessments listed on her tax bill. Mrs. Harley asked about the frontage length for the Historical Society because that could really make a difference in cost, and Mr. Ryland replied he did not know those numbers. Mr. Paul Tousley, 4536 Garrett Drive, Norton, stated he is not trying to insult you. What Ms. Ashbrook is asking for is not beyond the norm. What she and other resident's are asking for are not beyond the norm. How can we continue to pay you when the job just isn't getting done? Where are the questions that need to be asked? I would be dumbfounded if I was in this lady's position. Ms. Whipkey stated last week she wanted to see the resignation of Mr. Kostoff, and she made a mistake by not making that request as a motion and will call for that now. Ms. Whipkey stated she truly believes that Mr. Kostoff did this wrong. Ms. Whipkey stated that she does not feel that Council understands the gravity of what took place, but the Supreme Court does not look kindly on point as to the mistake that was made here. Mr. Nicolard stated that this is grossly unfair to discuss anything about Mr. Kostoff without his presence and she is out of order to discuss at this time. Ms. Whipkey indicated that she would bring this up again next week. Mr. Conklin stated he felt this is a topic for Executive Session and Mr. Nicolard agreed and wished that she had called for an Executive Session at the time. Mr. Nicolard stated we would discuss this next week at great length.

New Business:

Mr. Mowery stated we have some salary issues that we need to have either a Personnel Committee or a Work Session to discuss a personnel issue. Mr. Mowery decided to get this on the next Committee Work Session.

Public Comment-Agenda and Non Agenda Items:

Mrs. Karen Harley, 3432 Harper Avenue, Norton, Ohio, asked if there is anything more being done about getting grant money to help pay for the sewers? You just saw this little lady that will be assessed about \$20,000.00 for sewers that she cannot afford. Mr. Nicolard stated he has not received any feedback so far. Mrs. Harley asked whom did you contact about getting assistance? Mr. Nicolard stated that we contacted Mr. Renacci, Mrs. Slaby, Sen. Rob Portman, Sen. Frank LaRose, Sen. Sherrod Brown. We did meet face to face with each of them. We plead our case very well with all of them and according to those we spoke to there is not any funding out there. Mrs. Harley asked to have an email list with all of their names. Mr. Nicolard directed Mrs. Harley to ask the Clerk of Council for that information. Mrs. Harley stated that she would like to provide this to all of the citizens and have them contact them directly.

Topics for the next Work Session:

Nothing new at this point to add.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:08 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.