



COMMITTEE WORK SESSION MAY 20, 2013

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

Also Present: Mayor Mike Zita
Peter M. Kostoff
Rick Ryland
Laura Starosta
Karla Richards
Ann Campbell

The Committee Work Session convened on Monday, May 20, 2013 at 7:02 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:

Resolution #35-2013 Opposing House Bill 7

Mr. Nicolard explained that today we had a telephone conference with Senator Burke, Mayor Zita, Mrs. Starosta, Mr. Ryland and Mrs. Richards. Mr. Nicolard stated we were told this Bill most likely will pass tomorrow and our presence in Columbus was not necessary. Mr. Nicolard stated he intends to have the Clerk fax the adopted Resolution to their offices first thing in the morning. Mr. Nicolard moved to place Res. #35-2013 on tonight's Special Council Meeting agenda, with emergency and waiving readings, seconded by Mr. Pelot. Ms. Whipkey suggested we come up with another Resolution to take back the difference from the State. Mr. Nicolard stated that was discussed and Senator Burke stated he would like us to be able to stand on our own two feet. Mr. Nicolard replied that we would be able to stand on our own two feet if the State would stay out of our pockets. Mayor Zita stated even with passage in the Senate this would likely end up going to the Ohio Supreme Court and that may take up to six (6) months. Ms. Whipkey stated then that gives us six (6) months to tell the robbers at the State that we want our money back.

Mr. Robert Copen, 2518 Sue Lane, Norton, Ohio stated he was glad to see this Resolution, you should also charge Mr. DeWine with dereliction of duties, if these are all supposed to be illegal. He is not doing his job and it's just easier just to wipe them all out of business than to do their jobs. Mr. Copen discussed home rule control and he believed that you are allowed to have your own lottery, and questioned if that is possibly legal for have a Norton Lottery? We know the Ohio Lottery is no doubt making money, and if that's a possibility, the odds would be better and we would make money. Mr. Copen suggested our prominent car dealer donate a vehicle as a prize. If the State want's to stick their hands in our pockets, we should be able to stick our hands in their pockets too.

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

Motion passed 6-0.

Local Government Fund Revenue-HB 5 Discussion

Mr. Nicolard gave a brief follow up relating to recent discussions he had with the Senator and Chairman relating to House Bill 5. Mr. Nicolard stated when he testified at the House he was asked if the State returned our revenue levels to 2008 of the Local Government Fund, would Council support House Bill 5? Mr. Nicolard stated he felt it seems the State wants to negotiate on this for passage. Ms. Whipkey asked the differences of the amounts, and Mrs. Starosta stated that would be around \$250,000.00. Ms. Whipkey stated this is likely to be a one shot deal. Mr. Nicolard stated they took it away once, what's to stop them from doing it again? Mr. Mowery stated this all sounds like nothing more than lip service to him. Mr. Pelot stated he felt this was a last ditch effort to get passage. Mr. Conklin stated there is not enough details. Ms. Karen Harley, 3432 Harper Avenue, Norton, Ohio, asked if we could get anything in writing that they would give back our \$250,000.00 would keep coming back to us year after year? Then maybe we would support their Bill. Mr. Nicolard stated it's quite apparent that the people don't trust the government, and he does not support this. Mr. Pelot stated they would just take it from somewhere else. Ms. Whipkey stated we are probably not the only community that has been approached about this. Ms. Harley stated this seems like being black mailed or like a bribe from the State. Mr. Conklin stated the State did not follow the Roe vs Wade, so what makes us think they will follow this one? Mr. Nicolard asked for a roll call one way or the other.

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

Motion passed 6-0. Mr. Nicolard instructed Mrs. Richards to email the Senator with our response that we would not support House Bill 5.

PC Res. #3-Rezoning From R1 to R5

Mr. McGlone stated this is for two (2) parcels of land on Long Drive for multi family to rezone from R1 to R5 on these parcels.

Mr. Kostoff noted the Clerk had handed out a revised draft of the proposed ordinance and to discard the one marked Draft in your packet. Mr. Pelot asked Mr. Ryland the difference from R1 and R5 and Mr. Ryland stated the difference is simply multi-family. It is in our code as the proper zoning for a buffer between business and residential. Mr. Ryland indicated that the applicant is asking for two (2) three family unit dwellings. Mr. Nicolard stated there is similar development across the street. Ms. Whipkey noted there is already sewer at this location and Mr. Ryland concurred. Mr. Pelot asked if the Planning Commission has approved this, and Mr. McGlone replied yes but it has to go back due to a numbering error on their Resolution. We can still put it on for a first reading next Monday. Mr. Kostoff noted that when Council receives their full packet on Friday the reference to R2 would be R3. Mr. Conklin asked if this would be the balance of vacant land on this road and Mr. Ryland replied yes. Mr. McGlone moved to place this on Councils next agenda for a first reading only, with the public hearing on June 10, 2013, seconded by Mr. Conklin.

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

Motion passed 6-0.

Amend Ord #68-2007 Internet Café's:

Mr. McGlone stated that a few on Council would like a change to Section F and change this to from the semi-annual filing of the fees to the first of each month starting on June 1, 2013. Mr. Nicolard referenced the earlier discussion on HB 7 and if passed tomorrow night, would end up in the Supreme Court and it would be at least six (6) months. Mr. Nicolard stated that in fairness to these owners, he believes its only fair to collect monthly instead of every six (6) months, and we could find ourselves in a refund situation. Mr. Pelot discussed the proposed language and felt this needed to be corrected because the verbiage does not jive. It talks about the license fee of \$500.00 semiannually and then it goes on to state differently. Mayor Zita stated he felt what is suggested now would be correct and in addition you have the monthly fee of \$250.00 per machine. Mr. Kostoff stated that half of him sides with leaving it alone because in six (6) months its going to be all over, and the other half is that we have spent a lot of time working on this originally and questioned why tinker with it now because of one (1) inquiry from business. Mr. Kostoff stated he would do whatever Council desires, however he would not change the legislation. Mr. Kostoff asked Mrs. Starosta if they current owners have paid up to date and Mrs. Starosta replied, yes for the first six (6) months. Mr. Nicolard stated in reading in Section E the fee has already been paid this year, and Mrs. Starosta stated that without seeing the other pages, she felt you had to satisfy item E first. Mr. Nicolard stated it seems a moot point until the first of next year. Mr. Bob Copen, 2518 Sue Lane, Norton, Ohio, stated that he understands they pay the full license fee in January and so much for each machine for the first six (6) months. At the end of six (6) months they pay a fee again for each machine. If this passes in the Senate tomorrow night, they are out of business, and we will never see a dime and who knows how long it would be in the Court. If you approve a monthly fee he was sure they would start paying it because they would be in business at least a month.

If you don't change it why would they pay a six (6) month fee and stay in business. You will have seven (7) vacant building not collecting rent and with the average of four (4) employees per store that would be twenty-eight (28) employees not paying taxes. Mr. Copen urged Council to take what ever is due the first of June and divide that in six (6) months. Mr. Nicolard stated that it was his intention to lower the costs to them on a monthly basis and as a business owner if he was sitting in that situation he would not want to be paying up front. Mr. Danny Grether, 2831 Brookfield Drive, Norton, Ohio stated that we have been discussing these games of chance and we could now be calling them a business of chance. Mr. Grether stated he understands your intent here, but he does not support moving forward on this. Mr. Grether stated if the Supreme Court rules its all over, you stop getting your money. We cant do this all of the time every time a business comes forward on issues. Mr. Grether stated the patrons and owners are taking a chance with these businesses. If this drags out at least you have this ordinance to stand behind. Mr. Nicolard stated that Senator Burke had assured all of us today that this would pass in the Senate tomorrow. Mr. Kostoff stated when we drew this legislation, it was to have the license fee paid up front and the logic was so that our Finance Director is not collecting the fees monthly. Mr. Kostoff stated the risk is on them not on the City and believes if it's not broken then don't try and fix it. If there were an injunction on this then people would be able to remain open and that is more reason to collect the fees in June. Mayor Zita stated with the amount of limited staff at City hall, we need to take this into consideration. It's not just a letter that goes out, someone has to physically visit these businesses, inspect the facilities and collect the funds. Ms. Whipkey asked are these establishment inspected monthly or when? Mr. Ryland stated generally every six (6) months. Ms. Whipkey asked where the money that is generated goes to and Mrs. Starosta replied it comes into the General Fund. There was discussion as to if they close before end year do we refund them the difference? Mr. Ryland replied the legislation states there is no refund clause. Ms. Whipkey stated she is in favor of the monthly fee after hearing it was \$500 per machine a month. Mr. Nicolard stated he is in favor of this as well as a business owner to pay monthly. Mr. Pelot stated he was not sure he agrees with this but if we do we need a stipulation to have them to come to us to pay their fee, like we have to be responsible to a mortgage company, they don't come to us looking for our payment. Mr. Conklin stated we already have Russ Arters chasing his tale. Mr. Ryland stated that Mr. Arters would be the one putting the lock on any business if not paid. Mr. Pelot stated that if this passes in the Senate tomorrow night, they will be facing a decision to either stay open or just close their doors, and he would rather do nothing with this. Mr. Robert Copen, 2185 Sue Lane, stated the inspection process is to count the number of machines. If someone were to cheat and bring in or bring out one, that would not affect the city one way or the other. Mr. Copen stated they are out of business effective tomorrow night and their license is revoked if they do not pay the fee. There is also a waiting list for these licenses of 4 others wanting to come in. Mr. Copen asked about when the injunction would take effect. Ms. Whipkey asked about the average number of machines and Mr. Copen several have 26-28 and three (3) of them have close to fifty (50). Ms. Whipkey stated she would rather be collecting this monthly versus saying good bye and lose it all. Mayor Zita took offense to the comment that Mr. Arters is really not that busy. Since we don't have an Economic Development Director, Mr. Arters has taken on this role as well and has plenty to do.

Ms. Whipkey stated she does not feel they are just going to walk away. Mr. Mowery stated we all agree this a good moneymaker for the City and it has brought nothing but good things as well. Ms. Whipkey stated police are required at these establishments if any are open until 2 AM. Ms. Whipkey stated our part-timer officers are supplementing their income working some of these businesses. Mr. Ryland suggested doing a resolution to refund their money if the State forces them to close; it would just be easier. Mr. Ryland stated this process has been working fine since 2007, they pay their fees, and they get a 30-day grace period if they ask. This would be easier than changing the whole process. Mr. Ryland stated that we are talking about \$120,000.000-\$130,000.00. Mr. Nicolard stated either way they don't pay if they don't get to play. Ms. Whipkey stated a miracle could happen and the Senate does not approve it. Mr. Jack Gainer, 3920 Wadsworth Road, Norton, Ohio, asked if we have other business like Mr. Nicolard's or the bowling alley that have to pay a fee for their businesses, and Mr. Nicolard replied no. Mr. Gainer stated if these are the only business that pays a fee that is non-refundable? Mr. Kostoff noted this legislation did not just come out of the sky, we worked with many other communities and input from these types of businesses. Mr. Kostoff stated as he understands there is only one (1) business that has complained, and he does not see the need to change our laws now, its working well and has been working well. Mr. Gainer stated they make one hell of a lot of money and they went into this knowing it was an iffy business. Mr. Gainer stated he is not in favor of giving any business a refund. Mr. McGlone moved to go with the month to month changes in Section F and place this on Councils next agenda, seconded by Ms. Whipkey.

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

Motion failed 3-3, majority vote is required Mr. Nicolard stated he was looking at this as being a business friendly way to keep these businesses here as long as possible. Mr. Conklin suggested we send a letter to all of these business owners indicating that if the State shuts down we will give a refund and that is a bit of security. Mr. Pelot stated he would support that if it were for every full month, not a partial month. Mr. Pelot noted that we could address this again after tomorrow night if it passes or not.

Future Road Programs

Mr. Mowery stated he would like to continue this discussion to the next Work Session since Mr. Bergstrom is excused this evening. Mr. Mowery stated that Mr. Conklin wished to comment on this subject, especially because there are no roads in his ward to be done this year. Mr. Conklin stated that between House Bills 5 & 7 he thought Mr. Ryland stated at Mr. Mowery's meeting that could wipe out our road money. Mr. Conklin asked how much more expensive will this become before we can find a solution. Mr. Conklin stated he is trying to lay out a road map as to how we can slay that beast. Mr. Nicolard stated when he was the former Chairman of the Service Committee, a road levy was mentioned and we were told that would be virtually impossible. Mr. Nicolard stated there is an assessment process that could be used to pay for road improvements.

Mr. Conklin stated one resident had mentioned this to him but added a different twist that a road levy should be limited to secondary and primary roads like Johnson, Hametown, Greenwich, etc. and spelled out within the legislation. Ms. Whipkey stated we are not going to get any kind of a levy to pass. Mr. Conklin stated if that's the case where do you suggest the money come from? Ms. Whipkey stated that if we had attacked the gambling legislation sooner she would like to have used this money. Mr. Mowery stated that he does not see any options, we have already painted the administration into a corner already. Mr. Conklin stated the costs are only getting worse, we have some roads that need to come down to the base. And it's only going to get worse. Mr. Ryland stated we already have roads where mud is coming up through the asphalt. Mr. Conklin stated we have lost money and are pretty much at zero. Mr. Mowery asked have we been sloppy with the money we do have, or could we have been smarter? Mr. Ryland replied no that is not the case. Mr. Nicolard stated when he was on Council we set aside money each year and unfortunately when March came around we had dipped into it for this that and everything and nothing was left. Mr. Nicolard stated we have learned from that and now earmarked it specifically. We cannot just borrow the money; we have to run with a balanced budget. Mayor Zita stated there was a time when we did go out and borrow money for roads, and we were paying that back for many years thereafter. Ms. Whipkey stated we should have held this discussion in a separate Committee Meeting as she had requested in the past. Ms. Whipkey stated she would not support another levy and felt the people won't either. Ms. Whipkey stated she does not have the answers here, and wished she did. Ms. Whipkey stated most residents would not see any improvement, just to see their property **taxes** going up even more. Mr. Pelot concurred; everyone is taxed pretty much to the core. The residents are just like the City and barely getting by. We need to see how badly the impact of HB 5 & HB 7 will affect all areas of the City. Mr. Conklin asked do you really think the State is going to stop and HB 5 & HB7? Mr. Nicolard stated no, he thinks the State will do all they can to take care of the "state" at our expense Mayor Zita stated that LGF was a cut to us by 50%. Mr. Nicolard stated they State just finds ways to take the money from us to balance their budget. Mr. Nicolard stated the 2014 Road Budget just does not exist. Mr. Conklin asked about the status of this year's program. Mr. Ryland discussed the recent changes discussed last week and that by making that shift we have about \$82,000.00 left to spend elsewhere. Mr. Conklin asked how much that would do and Mr. Ryland stated roughly about one (1) mile. Mr. Mowery stated we seem to be at a standstill and have nothing left. Mr. Mowery asked Mrs. Starosta if she could foresee anything in the neighborhood of \$500,000.00 to set aside for next year? Mrs. Starosta replied no, and that she would hope she could find \$200,000.00 for next year. Mr. William Paluch, 3740 Shellhart Road, Norton, Ohio, stated you complain about the funds in the City, just look at the costs the City spent on the engineering fees. Mr. Paluch discussed the fact we spent \$58,000.00 on legal fees in the on legal fees. Mr. Nicolard reminded Mr. Paluch that we are discussing future road programs now. Mr. Paluch stated our roads are terrible and if you go down Shellhart all you have are patches to the potholes. You need to fix the roads, and asked if anyone applies for grants on road repair? Instead of spending money on a \$78,000.00 or so on a grader, maybe you need to spend money on a paver. Mr. Paluch stated it seems most of you don't have a clue on how to run the City properly. The roads can be going to hell but we can spend \$477,000.00 on engineering fees and he just doesn't understand it.

Mr. Paluch stated that if he was up there in Mr. Nicolard's chair, before we spent money for engineering, he would have purchased a paver and fixed the roads for the taxpayers of this City.

Mrs. Audrey Kornacky, 3008 Dutt Road, Norton, Ohio, stated she is not here to point fingers, we are all in the same boat. If you come to us looking for a road levy its just not going to happen, we cannot afford it. If one were to pass three fourths of the residents will be leaving. You just can't look to us anymore for the money, if you push any more she is out of here because she has no other choice. Maybe you need to ask all of us to drive slower, and avoid the potholes. Mr. Conklin stated he understands what Mrs. Kornacky said and how most of the residents feel, however he wanted to bring this up for discussion. Mrs. Kornacky stated she appreciated Mr. Conklin expressing his concern for our roads. Mr. Gainer stated we have about 12,000 residents, and we all come to you with problems, however he does not expect you to do everything that is known to man without the proper funding. If we don't have money for the roads they we are not running the city. Everything else that is 100% necessary and that includes the parks should be closed until the economy improves. Mr. Gainer stated he likes to come up with ideas and not be here to complain. Mr. Gainer suggested some of the smart people come up with an idea to fund a road program. Mr. Danny Grether, 2813 Brookfield Drive, Norton, Ohio, stated that the City is sitting on several large parcels of land worth several hundred thousand dollars, and we are paying taxes on them. Mr. Grether suggested selling these properties publicly and that would be a nice chunk of change for our road programs. Mr. McGlone asked if the old fire department property was for sale or not and Mr. Ryland replied it is for sale, and Mr. Grether stated maybe so, but not publicly. Ms. Whipkey stated that Council had created legislation forming a CIC and she believed they have control of the property although they do not hold the title. There are three (3) pieces of property that the CIC hold. Ms. Whipkey stated that if we do pursue that she hoped we would make more than a \$3,000.00-\$4,000.00 profit like we did on the last parcel we sold. There was further discussion on this and Mr. Nicolard stated that although we do pay insurance on this parcel, we do not pay taxes on City owned property.

Dispose of Property:

Ms. Whipkey stated that we have a request from Mr. Ryland to dispose of two (2) 5-ton trucks at the Service Department. Ms. Whipkey stated when she and Mrs. Starosta toured the facility she was not sure what was the intention, was it to scrap it or sell it? Mr. Ryland stated Mr. Ryland indicated we would like to sell these outright. Ms. Whipkey stated that she wanted all of the sale proceeds to come back into the Service Department Fund for the purchase of a new truck which they need in the future. Mr. Ryland stated we can do this a couple of ways and suggested we do an Internet auction at this time. Mr. Conklin asked if this was all we have to sell and Mr. Ryland replied, no we have more however this is what we have at this time. Ms. Whipkey moved to place a resolution this on Councils next agenda, seconded by Mr. Pelot, stating the funds are to stay with the Service Dept. and not into the General Fund, Mrs. Starosta stated initially she did not see a problem with this request.

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

Motion passed 6-0.

Unfinished Business:

None

New Business:

Ms. Whipkey discussed the recent Ohio Municipal League's publication titled Round 6 of Local Government Innovation Funds. Ms. Whipkey stated that she thought this was how we got the money to apply for the dispatch center. Ms. Whipkey stated that you could apply for grants for up to \$100,000.00 for projects that help your city be more efficient and informative to the public. Ms. Whipkey discussed the televised meetings issues, and when our Communications Committee had met we were in a tie 2-2 and if Mr. Mowery was not hospitalized that same evening, he would have been there and voted in support of television although we would have liked to have seen both. Ms. Whipkey stated that all she is hearing is complaints about the broadcasted meetings. Ms. Whipkey asked if it was just the \$40,000 keeping us from televising the meetings, why couldn't we use these grants for this purpose? Mrs. Starosta stated without knowing more about this, she believed that those grants might be more for joint community projects. Ms. Whipkey stated she would be providing Mrs. Starosta with more of the details for her to look into. Mr. Mowery thanked Mr. Conklin, Mayor Zita and Mr. Ryland for attending his recent town hall meeting. Mr. Mowery stated he had asked for a representative from Summit County and there was no one present as they felt they had done all they could. Mr. Mowery suggested we get the Ad Hoc Communications Committee back up and questioned if this would help? Mr. Nicolard stated he was not sure we should even be discussing this since its in litigation. Mr. Mowery stated he would like to solve the problem before it goes any farther. Mr. Paluch stated that maybe he would drop the lawsuit. What the people wanted when we voted was to be televised on not through the internet or cable, just regular television. You just turn on the TV and it would be there. It would be tremendous for the people to be involved in their local government. Mr. Paluch stated he does not know the costs, did not do research but suggested somehow install an antenna that would put out a signal just for the community, maybe do some advertisement and make some money. Mr. Paluch stated he did the lawsuit because he felt the people's rights were being violated. They wanted to go home, turn on the TV and watch what is going on in the community. That is what the vote was for, it was not to streamline it through the Internet or cable. Mr. Paluch stated we may not all have cable but we have televisions that get a digital signal. That's what we were hoping for. If Council would look into that, have someone with a camera and just broadcast it, that's all we wanted. If we could just get that do you think we would be in a lawsuit---no. Ms. Karen Harley stated she was on this committee and we were asked to provide all options available. That's what we did, we gave Council all the options that were available. That was Councils decision on which way to go, not ours. We did not force anybody to go with the Internet; we did not force anybody to go with cable. You voted on which way you wanted to go.

Topics for the next Work Session:

None

Public Comment-Agenda and Non Agenda Items:

Mr. Paluch, 3740 Shellhart Drive, Norton, Ohio, stated that the voters said on the ballot, it specifically said televised meetings, that's what the people voted for. This Committee did just the opposite of what they were supposed to do. Televised does not mean streamed through the Internet, does not mean putting it on cable. Is did not say that, it said specifically televised. When the people went to vote, it said specifically televised meetings and that is what we are fighting for in the 9th District Court of Appeals. Mr. Paluch stated he hoped they don't take the rights of the citizens of the community away because that is what we voted for.

Mr. Rick Rodgers, 4834 Wadsworth, Norton, Ohio, asked Mr. Ryland if he is a resident of Florida or Ohio, and Mr. Ryland stated he is a resident of the State of Ohio. Mr. Rodgers stated this was questioned because Mr. Ryland's vehicle has Florida plates. Mr. Ryland concurred and that vehicle is registered in Florida and it's in his wife's name. Mr. Rodgers discussed the discussion on the streets and levies that we cannot pass. It all comes back to the sewer issue and they way the citizens feel they have been treated on that. It's been stated that this is mandated by EPA and the County, but everyone he talks to says it hasn't been. Are we under a direct order to run sewer lines in this City and to address Nash Heights? Mr. Ryland stated that we are in violation of our MS4 permit, and we are mandated to correct the MS4 permit, which is citywide. Mr. Rodgers stated everything else out there contradicts that and there are letters out there that were handed to Mr. Ryland and asked how we get to the bottom of this? Mr. Ryland replied you have the letter and all other things out there, including the March 23, 2009 letter citing the violations. Mr. Rodgers stated that letter may have cited the violations but there is no order to correct these violations. Mr. Ryland disagreed stating the order is right in that letter, you must correct the violations of the MS4 permit. Mr. Rodgers questioned this and he asked Mr. Ryland if he has this so called letter? Mr. Ryland stated yes, he has that letter and Mr. Rodgers could stop in to his office. Mr. Rodgers asked what happened to the road money from last year because we did not have a road project? Mr. Nicolard stated we did not have a road program last year. The money was transferred to this year. We would not have a road program this year if we had not transferred that money from last. Mr. Rodgers clarified that the money budgeted for 2012 wasn't used so if we had used that in 2012 we would have budgeted money for 2013. Mr. Nicolard stated no we would dot have money for the roads. Mr. Rodgers asked why not and Mr. Nicolard stated its because we do not have the money. Mrs. Starosta clarified that we re-appropriated the money from last year into this year's road program and that we re-appropriate every year. Mrs. Starosta stated the road program is appropriated by the General Fund. That money was put there in 2012 was not utilized that year and then re-appropriated for this year. Mr. Rodgers asked if we had used this in 2012 would there have been money set aside for this year? Mrs. Starosta replied that she could not say if we would have had a road program to the extent of what we have for this year because she did not move any more money from the General Fund into that fund.

Mrs. Tompkins, 3840 Cleveland Massillon Road commented about a statement made by Mr. Ryland at Mr. Mowery's meeting about the Charter amendment. It was stated that if passed you would be out of money for paying the bills. Mrs. Tompkins stated that Mr. Ryland stated we had \$2,000,000.00 in old bonds to pay and we would not be able to pay those. Mrs. Tompkins asked Mr. Ryland to please restate what was stated at Mr. Mowery's meeting. Mr. Ryland stated we discussed the proposed Charter amendment, and that should it pass that all the outstanding assessments the city would have to pick up and pay it. We have to cut services someplace else to the tune of about \$2,000,000.00 to make those assessment payments. Mrs. Tompkins stated the 1997 Bonds were also mentioned at this meeting. Mrs. Tompkins discussed the current bonds, and in 2003 and we technically should not have a problem paying it and wished to have more clarification. When you suggest to people that we don't have money to pay for things, hopefully the information is correct that goes out to the public. Mr. Ryland in order to do that he suggested that Mrs. Tompkins and others prepare their questions prior to those meetings in advance so that we can be prepared for it. Mr. Ryland stated that he only reference to 1997 in that meeting he recalled was discussion about the JEDD Agreement of 1997 that allows certain things to happen in the City. Mrs. Tompkins discussed Mr. Paluchs' previous statement on the costs from Mr. Kostoff's office and his figures of approximately \$55,000.00 were very light. Mrs. Tompkins stated that just in last December, Roetzel & Andress picked up \$57,000.00 plus, that was just for one (1) month not the end of year. Mrs. Tompkins stated that there was also a carryover of \$42,000.00. Mrs. Tompkins discussed the recent lawsuits and that sometimes things in the Courts are reversed. At least we have the satisfaction of standing up and saying what we think should be done.

Mrs. Starosta asked Mrs. Tompkins to provide her supporting documents about paying Roetzel & Andress \$57,000.00 in December of 2012. Ms. Whipkey stated she attended Mr. Mowery's meeting and heard what that Mr. Ryland stated about the bonds and it seems to her that the referral was that there were past bonds that would not be met if that Charter amendment were to go through. The year 1997 was mentioned in addition to the JEDD Agreement. Ms. Whipkey stated that what Mrs. Tompkins was trying to say is if this Charter amendment goes through, how can you renege on bonds that were made in the past. Mr. Ryland stated it was not stated that we would renege what was stated was if the Charter amendment went through, the assessments that are left, the City has to pay those. We have to find the line item to pay that, they just don't go away. We have talked all night about short funds and budgets, and if we would have to find those funds to pay those bonds and the only way to do that is to cut services, and that is a true statement.

Mr. Nicolard stated the next meeting would be Tuesday, May 28, 2013 at 7:00 PM due the Memorial Day Holiday on Monday. Mr. Nicolard also noted there is a Special Council Meeting immediately following this meeting.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:59 PM.

***Note a Special Council Meeting set to follow immediately after this meeting adjourned.*

Don Nicolard, President of Council

NOTE: THESE MINUTES ARE NOT VERBATIM
****ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE
CLERK OF COUNCIL****

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