



COMMITTEE WORK SESSION JANUARY 9, 2014

Committee Members Present: Scott Pelot-Excused
 Dennis McGlone
 Danny Grether
 Dennis Pierson
 Paul Tousley
 Charlotte Whipkey
 Rich Rodgers

Also Present: Mayor Mike Zita
 Laura Starosta
 Justin Markey
 Karla Richards
 Ann Campbell

The Committee Work Session convened on Thursday, January 9, 2014 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Rick Rodgers, 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:

Approve 2014 Meeting Schedule

Mr. Tousley noted there is a typo-correction to the January 22, 2014 date and that it should be the 21st not the 22nd. Mr. McGlone noted the following date of January 28, 2014 also needs changed to January 27, 2014. There being no other changes, Mr. Tousley moved to approve the 2014 Meeting Schedule, seconded by Ms. Whipkey.

Roll Call: Yeas: Tousley, Whipkey, McGlone, Grether, Pierson, Rodgers
 Nays: None

Motion passed 6-0.

Review Council Rules

Mr. Tousley opened the discussion and asked for any suggestions or changes. Mr. Grether discussed Council Rule 1.01 Pledge of Allegiance that it's not consistent with Charter Section 3.16. Mr. Grether proposed that we amend the Council Rules to add the charter language and so moved, seconded by Mr. Pierson. Ms. Whipkey asked if you want to use open with a prayer? Mr. Markey stated to avoid any of the potential legal problems, it's not necessary to amend this; it's not actually conflicting with the Charter.

Ms. Whipkey stated she was concerned this would open a can of worms. Mr. Rodgers felt prayer was a good idea and Norton needs prayer. Mr. Rodgers stated he prays for this Council in his daily prayers. Mr. Tousley stated this was a good idea and that it can open the doors for local churches and parishioners to get involved. Mr. Rodgers stated prayer does not need to be done each meeting, and that we could invite local ministers, rabbi's and priests, etc., to open our meetings. Mr. McGlone noted that the Boy Scouts have been here and opened with prayer and it's never been a problem. Mr. Markey noted that your Charter prevails and your Council rule is fine as it is. Mr. Grether and Mr. Pierson withdrew their original motions. Mr. Pierson noted he just received a text from a resident that the sound is very poor and urged everyone to lean forward and speak into their microphones. Mr. Grether discussed Council Rule 101-Meeting Times, and that 7 PM works but when he served on the Planning Commission it was 6 PM and felt money could be saved and employees overtime and salary if we started at 6:00 PM instead of 7:00 PM. Mrs. Starosta reminded Council most of us are on salary and are here regardless. Ms. Whipkey noted the 7:00 PM gives residents time to get home from work. Mrs. Starosta reminded everyone that Mayors Court starts at 4:00 PM and sometimes we need Board of Control at 6:00 PM. Mr. Rodgers indicated the employees adjust their hours accordingly and Mrs. Starosta replied she does not, but some employees do. There was further discussion and it was decided to leave this section as it is. Mr. Grether commented on Council Rule 4.03-Votes and that it states roll call shall be yeas or nays. Mr. Grether asked if a yes or no vote is acceptable and Mr. Markey noted the official minutes need to state yea or nay. Mr. Rodgers discussed the abstain vote and in Roberts Rules it's clear the abstention is not a yea or a nay vote, nor does it go with the majority, An abstention is simply not a vote. Mr. Markey stated Council Rule 6.03 states you will follow Roberts Rules and it could be left as it is. Mr. Markey stated he would double check this to make sure there is no conflict. Mr. Markey stated we could add a rule for this to clarify. Mr. Rodgers moved to add language stating that if you abstain it is a non vote or silent vote, seconded by Ms. Whipkey. Mr. Tousley noted these rules can be modified at anytime if someone comes up with anything else and Mr. Rodgers concurred this was correct.

Roll Call: Yeas: Rodgers, Whipkey, McGlone, Grether, Pierson, Tousley
Nays: None

Motion passed 6-0.

Standing Committees.

Mr. Rodgers announced his selection for the committees as follows (see attached).
There being no objections the appointments stand as stated.

Norton Health Advisory Board

Mr. Tousley moved to in the future dissolve this Board, for the reason there is no other community in Summit County that has one. Mr. Tousley moved to dissolve the Norton Health Advisory Board, seconded by Mr. Pierson. Mr. McGlone asked if the Norton Health Advisory Board has a requirement for a Council representative to be on the Board?

Roll Call: Yeas: Tousley, Pierson, McGlone, Grether, Whipkey, Rodgers
Nays: None

Motion passed 6-0.

Appoint Firefighters Dependent's Fund Members

Mr. Tousley stated this is something Council must do each year and that last year Mr. McGlone and Mr. Nicolard were appointed to this Board. Mr. Tousley volunteered himself and asked Mr. Rodgers to also join him. There were no other members to volunteer and Mr. Tousley moved to list himself and Mr. Rodgers for 2014, seconded by Mr. Rodgers.

Roll Call: Yeas: Tousley, Rodgers McGlone, Grether, Whipkey, Rodgers
Nays: None

Motion passed 6-0.

Approve Assessment Board Report-Nash Heights

Mr. McGlone stated that Council is required to approve or deny this report and asked for any further comments. Mr. McGlone noted there were five (5) total objections and that two (2) property owners have been adjusted and the other three (3) remained the same. Ms. Whipkey noted we have reviewed several versions of drafted legislation and wanted to clarify that what we are approving is only to approve the report and that this does not move this project forward, and Mr. Markey concurred. Mr. McGlone moved to place the approval of the Assessment Boards report for the Nash Heights project on Councils next agenda, seconded by Ms. Whipkey.

Roll Call: Yeas: McGlone, Whipkey, Grether, Tousley, Whipkey, Rodgers
Nays: None

Motion passed 6-0.

Review of Administrative Officer Applications

Mr. Tousley turned this discussion over to Mayor Zita for the details. Mayor Zita stated we did have sixty eight (68) applicants and had two (2) candidates at the first of the year. One has withdrawn at their request and the other name has been withdrawn for various reasons which he has discussed with Council President. Mayor Zita stated that he is running into issues with the salary level and felt this is why the one female candidate withdrew. Mayor Zita stated at this point he intends to hire an interim for maybe up to 6 months and during this time go out and repost this search and expand our searches. Mayor Zita noted he would be working with Council on these new candidates. Mr. Rodgers liked the idea of an interim Administrative Officer and felt whoever this is; they need to have the proper experience and maybe even possibly a former mayor.

Mr. Rodgers moved to hire an interim Administrative Officer for 3-6 months, so we could enlist their aid to help with the new permanent position. Mayor Zita indicated he plans to start posting the first of February, Mr. Tousley seconded the motion. Mr. Pierson stated he objects and that he looked at all of the applicants and felt there were some qualified applicants. Mr. Pierson suggested the personnel Committee and the Mayor go over these again before posting once more and put a probationary period in there and rework the job description duties to increase the education requirements and qualifications. Mr. Grether agreed with both statements adding that this is not an easy process and appreciates the fact that the Mayor did not just bring someone forward. Mayor Zita noted there are some candidates if we dig a little deeper into the applicants and with just him and Mrs. Starosta trying to go through all of them, it's been difficult. Mr. Rodgers noted we need to have some of the elected on Council to help with this decision. We are responsible to the people. Mr. Jack Gainer, 3921 Wadsworth Road, commented on the discussion from Mr. Pierson about a probationary period. Mr. Rodgers stated Administrative Officers are not easily found, and felt this person would want a contract when they walk in the door. Their resume should have recommendations and those should be checked. Mr. Gainer asked who exactly has the authority and Mayor said it is his appointment. Mr. Markey noted that it is an agreement between the Mayor and Council. Mr. Rodgers noted the Charter states it is Council that has the final say. Mr. Gainer questioned what happens if this is not done within the 90 days? There was discussion relating to the selection process and Mr. Gainer stated you can't have all seven (7) of Council being employment selectors. Mr. Rodgers discussed the various terms of probation and the reality of it all is that they serve at the pleasure of the Mayor. Mrs. Patricia Reese, 4052 Wadsworth Road, Norton, Ohio, stated there is nothing wrong with expecting our Administrative Officer to come into our City and work for us and if they have a chip on their shoulder with a probationary period, then she does not want them here. Mrs. Reese stated we need a probationary period and very few companies hire without a probationary period. Mr. Andrew Lehner, 3853 Easton Road, Norton, Ohio, agreed with a probationary period and if they don't like it then they don't need to take the job. We need the right person to take this job and work for us and to understand they will follow the rules by the book. Mr. Pierson stated that when the Mayor takes the time to pick someone and this body comes to a resolution, there should be a probationary period as a safety mechanism for both sides. References are great but they are not so revealing and not the best tool for doing an interview. If the situation does not work out, you need an out for that person. Ms. Whipkey asked if Mr. Ryland had a probationary period and no one could recall this issue one way or the other. Ms. Whipkey stated we need to have someone that can do the job right away. Council and Administration need to see that they are capable to do the job and they have six (6) months to move into the City if they are selected and out of the area. Mr. Tousley stated this works both ways, and if we were to be disrespectful they would be free to leave. Mayor Zita stated the only issue he has is the ninety (90) day window that is coming close to running out at the end of the month. Ms. Whipkey asked if the interim would be eligible to become the full-time candidate and Mayor Zita noted they could, if they are not currently employed elsewhere. Mayor Zita noted the candidates he has in mind would probably not be interested in the full-time long term position.

Roll Call: Yeas: Rodgers, Tousley, McGlone, Grether, Pierson, Whipkey
Nays: None

Motion passed 6-0.

Unfinished Business:

Ms. Whipkey asked if we have heard any more about the crosswalk issue and Mayor Zita replied no, and that it might be sometime in the spring. The business is open and they are washing cars. Ms. Whipkey asked if we will have to pay more attention to salting this area with all of the water and Mayor Zita noted no, he did not think so. Mr. Rodgers reported that a number of City official's met with Summit County regarding the MOU to purchase the sewers. Mr. Rodgers noted the County has to have their hands on what is going on in the Nash Heights sewer. Mr. Pierson stated we have already started before being sworn into office that we would look at other sewer options and the details will come forward to the residents as more details are discussed. Ms. Whipkey stated noting really got settled with the County, we really have been on hold. We will have to pay what has already been paid into escrow for some past projects on Oak and Greenwich and the County has been very lenient on collecting what they are owed. Mr. Rodgers noted today he discovered for the first time that the package plants we have for Norton Acres, Brentwood and Frashure, and that the County intends to abandon these and change them to something that is needed. If we leave the ownership to these package plants to the County, they will take care of all costs for upgrades, and if we take over we will be the one responsible. We are talking about a lot of money for the City to do this and he understands that these three (3) package plants are all very old and need replaced now. Mayor Zita noted he understood these residents concerns. Mr. Pierson stated they would not be abandoned, it's really called phased out. It's the County's responsibility to take care of these and they need to do so. For us to take over, it would mean we will have to generate revenue to run these lines and that means assessments.

New Business:

Mr. Rodgers moved to direct the Mayor and our Law Dept. to approach the EPA to renegotiate the contract to allow us to have the time to look at other solutions for gravity sewers for Nash Heights. The bottom line is that we do not feel enough research has been done. Mr. Pierson stated that he does not believe we will be fined by the EPA. There was clarification on the motion and Mr. Rodgers stated we would like a 90 day extension to explore other avenues. Mr. Pierson stated there are other factors that were never brought up in discussions, and this needs addressed, motion seconded by Mr. Pierson. Mr. McGlone noted it was Att. Terry Finn that was involved and Mr. Rodgers suggested he be involved as well. There was discussion to ask if Mr. Finn could be present at the meeting next Monday. Mr. Markey stated he would check with Mr. Finn and this could be addressed during Executive Session on Monday. Mr. Grether clarified this motion is just to ask for a 90 day extension to look at other options, and Mr. Rodgers concurred.

Roll Call: Yeas: Rodgers, Pierson, McGlone, Grether, Tousley, Whipkey, Rodgers
Nays: None

Motion passed 6-0.

Mayor Zita asked to have Executive Session for a personnel reason as well.

Mr. Rodgers stated he wants the Service Committee to get with the Service Department ASAP to get a road program in place for this year as it appears we have nothing. Mr. Rodgers asked to have something back to Council by the first work session of March if not sooner. Mr. Rodgers stated he wants to see that all legislation requests come to the Committees of Council and that he expects all of those members to totally understand the issues. Mr. Rodgers stated that if the Mayor and any other Dept. heads need legislation to bring their request to him directly and he will assign it to the proper Standing Committee. Ms. Whipkey agreed with this idea asked if any other members can be involved? Mr. Rodgers noted that all meetings are opened to everyone. Mr. Rodgers stated he believed we need involvement from the community and we have eight (8) Standing Committees and he felt we have the potential to gather some expert advice from some of our residents. If you feel you have something to offer, please come forward and contact one of us, this is only an advisory position and they have not vote and we will protect any sensitive or private information. We all don't know everything and if we take the right approach. Ms. Whipkey added if anyone has something to offer us and enlighten us please come forward.

Topics for the next Work Session:

None

Public Comment-Agenda and Non Agenda Items:

Mr. Richard Gardner, 4556 Roop Avenue, Norton, Ohio, congratulated and welcomed the newly elected. Mr. Gardner stated that he hoped you can all show respect for each other. The past Council did not show respect to him in the past. Mr. Gardner stated he does not see the need for emergency language as this is poor planning on the Admin/Council. Mr. Rodgers agreed with the probationary period idea and also suggested some type of an incentive program and also felt the job description should be rewritten and should include someone with grant writing experiences and other government programs. Mr. Rodgers hoped to have more respect from this new Council for the residents, the Council and each other. Mr. Gardner stated that it seems like this Council wants to really do something and not just play with the gavel.

Mr. Andrew Lehner, 3853 Easton Road, Norton, Ohio, also welcomed the new Council and felt like this Council will really listen to the people. Mr. Lehner stated that he liked the new discussions about the sewers and that this is something that should have been done over the last three (3) years. Mr. Lehner thanked Council for their service and Mr. Pierson for addressing the concerns of his neighbors. Mr. Lehner thanked Mayor for listening to all of his comments in the past. Mr. Lehner stated that in August he would probably moving because he is getting married then.

Mrs. Audrey Kornacky, 3001 Dutt Road, Norton, Ohio, also welcomed the new Council and was so pleased to see all of you discussing the issues and working with each other.

It seems like you are trying to listen to us and do the best that you can and we know you will give us your very best shot. Ms. Kornacky also thanked the Mayor for all of his work and hoped that we will all have a good year.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:30 PM.

Rick Rodgers, 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.