



COMMITTEE WORK SESSION FEBRUARY 3, 2014

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

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

The Committee Work Session convened on Monday, February 3, 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 prayer. Mr. Rodgers asked Mayor Zita to introduce Mrs. Valerie Wax Carr. Mrs. Carr gave a brief overview of her process of being the Administrative Office. Mrs. Carr indicated that she comes from the City of Cuyahoga Falls as the former Service Director. Mrs. Carr stated she has degrees in Political Science and English from Ohio University, and a Masters degree in Public Administration from Cleveland State University. Mrs. Carr stated she has twenty (20) years experience in local government and is excited to be here to answer any questions you may have.

General Topics of Discussion:

Watershed District-Mr. Rozelle

Mr. Grether stated that Mr. Rozelle was present this evening to address the questions Council may still have. Mr. Rozelle apologized for not being able to make the last meeting. Mr. Grether noted since his last presentation we now have four (4) new members and that Mrs. Richards has been helpful in getting the questions and answers for us. Mr. Grether discussed a resident's concern about the assessment for businesses and their hard surface assessment. Mr. Rozelle discussed the various processes for valuation of land and that there is no set formula between different Districts. One of the things that occurs in the first 2 years is that a Board of Appraisers is formed by the District which generally consists of 3 members. They look at different methods of making an appraisal of benefits to determine the assessment.

The various methods to determine an assessment used by the conservancies include: Miami looked at the depth of flooding, the valuation of the property and the damages incurred from the flood; Maumee uses a tax value of the property; Muskingum uses the impervious area and the runoff from the property; and Hocking uses something similar to Muskingum. The final method is determined by the Board of Appraisers. Mr. Grether clarified that this was happening during the first two years and was parallel with the actual abatement plan, and Mr. Rozelle concurred. The act says the BOA is seated when the plan is initiated and they follow the development of the plan in order to determine the damages as properties will need to be purchased and they will appraise those properties as part of the process. Once that is done they would then go into the assessment process. Mr. Grether clarified within that two (2) year window the City of Norton has the option to opt out. Mr. Rozelle concurred adding that a written objection to the plan could be filed with the Board by any municipality or resident and state objections and positions to the plan or parts they disliked through and then come to the hearing, held by the Board, to voice those objections with the opportunity to opt out. The Board can modify the plan, throw it out completely, or accept the plan. The Conservancy Court, consisting of a Judge from each participating county, then gets the plan upon adoption and goes through the same kind of hearing resulting from the same level of written objections. Norton would then have the opportunity to say they do not like the plan and wanted out. Mr. Rozelle stated once bonds are sold there is a commitment until the bonds are paid. This all takes time to develop the plans, develop the bid documents, etc and it would be several years before construction begins and could take two to five years by the time it all went through. Mr. Grether inquired as to the Board and the confusion as to who the board may be and who makes the appointment. Mr. Rozelle stated the Court determines the Board of Directors (BOD) and in this case is done by two (2) judges one from Summit County and one from Medina County. Mr. Rozelle explained the Court's role as basically looking at what the Conservancy is doing and if they are following the Conservancy Act. They do not run the operation or who will be hired and/or fired. The Court receives a report once a year from the Conservancy as to what has been done, spent, what the District plans to spend the following year, and what the assessments will be. The Court either adopts it or sends it back with orders to fix it. The BOD is typically a three member board of citizens that have historically been civic minded, respected and listened to within their communities. These are people that would have an understanding of the overall operations and not afraid to make tough decisions. The District is considered a public corporation within the State of Ohio, and is managed much like a company is managed. The BOD decide what is best for the community and move ahead with that and direct the staff. Mr. Grether discussed the Miami Watershed and that it seems similar in size to our situation and had seen how Mr. Rozelle calculated the assessment rates there. Mr. Grether gave an example if he lives at the top of the hill and has no flooding history, his assessment would be less than someone at the bottom of the hill and Mr. Rozelle concurred. Mr. Tousley asked if this would be that case or do we know that yet? Mr. Rozelle replied we do not know that yet as the Board of Appraisers makes that decision. Mr. Rozelle added that the methods used in Miami developed from the assessments at that time are very different than the current thinking. Most of the current assessments are dealing more with the contribution of runoff from the entire watershed in some form or another.

The idea is that everyone contributes to the water going into the streams and everyone will have some proportionate costs associated with that. Mr. Grether asked how many years of experience Mr. Rozelle has and he replied he had thirty-four years with Miami as a General Manager and Chief Engineer at the end and was the Chief Engineer in the Muskingum District for a short time. Mr. Grether discussed the projected assessment costs Mr. Rozelle has used of \$12.00 a year per benefit on the two year plan and Mr. Rozelle stated that is correct for the first two years, adding that this figure is a very gross guesstimate. The reason for that is basically what the Act says if the Conservancy can levy a preliminary assessment at not more than 3 tenths of a mill for that first two years of cost. He tried to get the GIS values for all the parcels but he was unable to do that easily and there were too many parcels to get one at a time. So he assumed there are 42,000.00 parcels and at 2 tenths of a mill at an average \$60,000 value per property, that comes out to about \$12.00 on a typical house and he expects it would be less than that as he is sure the appraised value is going to be way above what he used as a number. Mr. Grether asked with his experience, and looking at the size of our community what is his best max calculation of assessments per resident for a district our size and someone that is looking at a flood issue every two years? Mr. Rozelle stated that is very difficult at this point because we do not know how big the project is going to be to solve the problems. He could make an offhand guess, but he could be off by two or three times easily. Once we see what the official plan looks like, we can to begin to burrow in what the cost will be to solve the problems. Mr. Grether clarified even at that time we still have the ability to opt out and Mr. Rozelle concurred that we could appeal to the Conservancy Court. Mr. Rodgers asked if the appointments are for life and Mr. Rozelle replied, no they are staggered, 3/5/7 years terms. Mr. Rodgers asked about oversight and Mr. Rozelle stated it would be the judges, adding that he has never seen such a situation come about where the judges had to address anything. We try to nominate people to the court that are respected in the community and that people will listen to. Mr. Rodger stated that we have three (3) communities involved, so does that mean Norton, Barberton, and Copley each get one (1) resident to represent their community or would they all come from Barberton? Mr. Rozelle stated that would be unlikely, and that you have to compile a list of people from each community with the credentials and are interested to submit and remember you have the Judge from Medina County so there would be a list from Medina also. Ms. Whipkey stated it sounds like it is possible Norton could end up with no representation and Mr. Rozelle concurred that could happen. Ms. Whipkey stated we have been referring to Board of Appraisers, Board of Directors, and a panel, are these one in the same? Mr. Rozelle stated no; he believes each community will establish their own panel, and the number of members is decided upon by the communities more as advisory boards. They would meet with the Conservancy and address the needs and concerns of the communities to the Directors. There are ten (10) communities so you should have at least twelve (12) to fifteen (15) people and suggested you involve some business owners. Ms. Whipkey asked if this panel would come back to us and report about what the Board is doing and they could also take back our wishes and we could replace them if we wanted to do so? Mr. Rozelle concurred, but pointed out that he was guessing how the panel would work as he is not the one putting that together. Mr. Rozelle indicated that Mr. Jim Stender from Barberton and Mr. Dave White City Engineer from Norton could probably address this more.

Mr. Pierson stated he had listened to the recording of the meeting from the last time he was here and that you had stated the assessment for the year to create the district would be \$60.00-\$65.00, is that a high or low assessment in comparison to other districts? Mr. Rozelle stated he does not recall using this figure and may have misstated that; it looks like \$12 per year for a resident and that is likely high based on the appraised value. Mr. Pierson stated that Mr. Brubaker-Summit County Engineer had indicated the County would also be looking at a Watershed District at \$12.00 per year but over the next three years that \$12.00 per year would triple and asked if he sees the same happening with the Wolf Creek Watershed District? Mr. Rozelle replied he would have no way of knowing what could happen in that third year; it would depend on how big the project was to solve the flooding problem and what the advisory board came up with. Mr. Pierson noted there were twenty-two (22) communities that opted out of the Muskingum District and asked Mr. Rozelle if he knew of this and their reasons why? Mr. Rozelle stated he was not aware of that. Mr. Tousley asked about Medina County and what communities are involved. Mr. Rozelle stated there has been contact with Wadsworth and some other communities, although none have brought forward any resolutions of support, and none have said they would object at this point in time. Mr. Tousley asked if parcels in Medina County were part of the 42,000 parcels and Mr. Rozelle replied yes and the map broke down where the parcels were located. Mr. Tousley asked if we have to go to the Board of Appeals after two years to opt out, are we totally at their mercy or if we definitively say we want out can we get out? Mr. Rozelle stated that you have a right to put your objections in writing to the plan, and explain in detail the reasons before the Board and/or the Court; theoretically, the Board or Court could ignore you. Would they? There is no way to know. Mr. Tousley asked if Mr. Rozelle was familiar and/or involved with the Summit County Storm Water Utilities and he replied yes, he has set these up in other communities, but is not involved with Summit County. Mr. Tousley stated he has spoken with Summit County Councilman Bill Roemer and he explained that if their Storm Water Utilities passes it supersedes anything that we would do and he is concerned that Norton could end up paying for two. Mr. Rozelle stated he understands if the County Storm Water Utility goes into effect, you would not have to be part of the Conservancy so you definitely have the right to opt out of any Storm Water Utility. Mr. Tousley stated that Mr. Roemer had expressed to him that Twinsburg, Solon, and Green were all opposed so he would expect Norton could do so also. Mr. Rozelle discussed ORC Chapter 6117, and that it specifically states that municipal corporations have to agree by resolution to opt into the County utility and he had a number of municipalities that opted out of such a plan in the past. Mr. Rodgers stated one resident had concerns that the Muskingum Conservancy District has millions of dollars in reserves gained in oil drilling rights related to fresh waters sold to the drilling companies. Mr. Rodgers asked if these reserves should be returned to those being assessed to reduce their assessment or what's the purpose of building such a large fund? Mr. Rozelle stated he understands Mr. John Hoopingarner-Executive Director of the Muskingum Watershed is actually looking into that and they are looking to spend a major part of the money in upgrading their parks and reservoirs in addition to possibly reducing the assessments. They need to be careful to retain enough money to continue maintenance within the District. Mr. Rodgers asked if this is something that could be drafted to specify the use of these funds when they reach a certain level and Mr. Rozelle replied yes that was something we could request.

Mr. Pierson stated Barberton is already collecting about \$60.00 from the residents and if this were to go through they would be additionally assessed, and Mr. Rozelle concurred. Mr. Pierson noted that there has been some legal action in Cuyahoga County about the assessments being unconstitutional and wondered if Mr. Rozelle had had any such challenges in his districts. Mr. Rozelle stated he knew nothing about that so he would stay away from it, but he had heard some rumblings that we that we should just join with the Muskingum District. Mr. Rozelle stated Wolf Creek was not inside the Muskingum District so you would have to become a sub-district and none of the funds they have could be used in this Wolf Creek District. If you were to join the Muskingum District, there would still be an assessment for properties involved with Wolf Creek, according to law, as each sub-district is a separate entity and separately operated. Ms. Whipkey asked if we could still have someone on our panel even if we decide initially we don't want to join? Mr. Rozelle stated that the panel was local, there is nothing in the Act that talks about an advisory board, it was an idea of the communities and it would be entirely up to that panel. He would suspect, if Norton had no representation on this panel at the start, this would be a good reason to get your community involved and the panel would permit it. Ms. Whipkey asked so that basically there were no rules for the organization on this and we would be winging it all the way through? Mr. Rozelle stated yes and no; there is a Chippewa Citizen Advisory Committee as just one example of other panels for the same purpose. Muskingum has a citizens' advisory committee and he believes Dave White participates in it, so there are examples out there. Ms. Whipkey stated the reality of it is that all they do is go and voice their opinions, but in the end they are a non-entity and Mr. Rozelle agreed. Mr. Grether discussed the southern portion of Barberton residents already being assessed, and questioned if there were any Norton residents in it as we did receive an email today? Mr. Rozelle replied he had also and he had not recognized that any of Norton dropped into New Franklin township and there are just a few parcels that are outside the Wolf Creek Watershed, but they are in the Muskingum Watershed and he assumed that they are being assessed. Mr. Grether expressed his concerns with these few residents getting double assessed. Mr. Rozelle responded that in calculating the mapping for the Wolf Creek area we mapped all of the municipal boundaries of Barberton and Norton and those outside of the watershed were not included in the 42,000 parcels. Mr. Rozelle explained that he did not want to mislead us and when they put together the boundaries of the Conservancy they include all of the Wolf Creek watershed and the corporate areas of the cities of Barberton and Norton. They did that at his suggestion so later on somebody would ask about fixing a stream and it would give you that opportunity through perhaps Muskingum; however, he did not see them being assessed by Wolf Creek as they are not benefiting from what we do in Wolf Creek although there is almost nothing we could do to fix the problems they may incur from the Wolf Creek problems for those outside of the Wolf Creek area. Mr. Grether stated the Muskingum is a much larger district and let's say they can control all of the dams and levees, is that fair to say? Mr. Rozelle agreed they control the dams, they have very little levees. Mr. Grether went on to say that Wolf Creek watershed would have to be able to retain all the water we can here to we do not help the flooding downstream. Mr. Grether suggested we work together because in the last flood we had receding flood waters traveling from the south which was documented by the press. Was this because of poor planning, too much water at one time, etc?

He was concerned about a bigger entity controlling the chute to the main river. Mr. Rozelle stated he did not know that Muskingum has any control of the waters that flow past Norton in the Tuscarawas River at this point. Their big damn is downstream from you and he does not know how far it backs up, but he did not think it backed up all the way to Norton. He did not think any of the Muskingum District operations could directly impact this community and with the small size of Wolf Creek watershed, they would never see the impact of this project. Mrs. Patricia Reese, stated in 1913 there was flood in Dayton and asked if these residents are still paying for that now? Mr. Rozelle stated that flood in Dayton also affected Barberton. The Miami Conservancy District developed a project for possibly \$15,000,000.00 to \$17,000,000.00 and sold bonds for over 20 years to pay for that. By 1940 the construction bonds were paid off and the assessments disappeared. However, a smaller assessment was instituted only to maintain the system properly, and it's still going on today. Mr. Rozelle noted that was the operation he assisted in and the assessment is smaller and strictly for maintenance and not for any capital improvements. Mr. Rozelle pointed out that any new capital improvements came from a separate plan with separate benefits and a separate assessment; it was all entirely different from the maintenance assessment. Mrs. Reese asked who has control of that maintenance assessment decision and if something else was wanted. Mr. Rozelle replied the courts, board of directors, and the public. He used an example from 1964 in Middletown that was separate from the original project and only those that benefitted from it were assessed. Mr. Jim Lino, 5058 Grove Avenue, Norton, stated it seems like we are always closing the barn doors when the animals have already escaped. Has anyone sat down with these future builders about all of the runoff? Mr. Rozelle stated this is a twofold answer, there have been credits issued to businesses if they build large retention ponds on their properties to offset runoff. Mr. Rozelle stated he has conducted many large public meetings for larger corporations like Walmart to address these issues. Mr. Tousley asked how much would a business like Walmart pay for an assessment? Mr. Rozelle stated as an example only as he did not recall exact numbers that in the Muskingum District, residential properties are paying \$12.00 a year with an average of 2500 sq feet of impervious areas. Walmart would possibly pay 400 times a residential unit rate if they had 100,000 sq. feet of impervious area. Maumee District uses the appraised value of the property and they would pay a huge chunk due to that.

Administrative Officer Position

Mr. Tousley stated that this is to address Mrs. Valerie Wax Carr and that last Thursday Council met with her for over an hour. Mr. Tousley stated he felt she was very professional and personal in that time. Ms. Whipkey asked Mrs. Carr to explain to the public what she had told Council on how she felt about addressing the public's problems and letting them know about what is going on as she believes they really need to hear it from her. Mrs. Carr stated she has worked in public meetings and one-on-one with the public and the number one way to resolve issues is that you have to be up front, open, you need to listen, and you need to communicate, whether it's going into neighborhood discussions or here at a Council meeting. There may be negative issues that you do not want to hear, but they also need to be taken in account with the positive issues to find solutions.

Mrs. Carr stated she believes she is diplomatic and sometimes you have to say no to the public, but there is a way to do that and make sure the public understands the answers whether it is positive or negative. She agrees with transparency, we talked about that quite a bit, and being up front with the public. Mrs. Carr stated that she was teased about her openness at Cuyahoga Falls and was called 411 by the staff for being so up front. Mr. McGlone stated he felt her resume was quite impressive and was confident that she could help our community. Ms. Whipkey agreed with Mr. McGlone, but had to express her concerns with having a Special Council Meeting right after this meeting and does not agree with that process. She would prefer to trot back up here in a couple of days to do it as opposed to doing that, but other than that, she was impressed with Mrs. Carr. Ms. Whipkey stated we have had some issues with past Administration and that she felt Mrs. Carr is head and shoulders, bodies even, above them although she is not on board with the special meeting. Mr. Rodgers stated the biggest reason for the Special Council meeting is because we have been without an Administrator for nearly ninety (90) days and we need to get the position filled as soon as possible for the benefit of the City. Mr. Tousley stated his motion is for an interim position from 3-6 months and the door is open after that. Mr. Tousley moved to add Ord. #10-2014 to the Special Council Agenda later this evening, with the emergency language due to the ninety (90) days almost being up, seconded by Mr. McGlone. Mr. Grether stated he was also impressed with her resume and looked forward to working with her.

Roll Call: Yeas: Tousley, McGlone, Pierson, Tousley, Rodgers
Nays: Whipkey

Motion passed 5-1.

Approving the 2013 Codified Updates

Mr. Tousley stated this just approves all of the updates from 2013. Mr. Tousley moved to add to next Council agenda with emergency language because these need to be in place and effective, seconded by Mr. Grether.

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

Motion passed 6-0.

Shellhart Waterline Project-Intersection Costs

Mr. McGlone stated that we have this tentative assessment of about \$11,000.00 per benefit and there was previous discussion about saving costs if the City pays for the intersection costs. Mr. Pierson asked if assessment letters have gone out and Mrs. Richards replied no because we are still in the discussion. Mr. Pierson noted there was a payout to the engineering group last month for \$5,161.00 and, questioned if this was for the Shellhart project? Mrs. Starosta replied the contract for Shellhart was \$6,500.00, and that could also be combined with other various projects such as Nash Heights and you would have to look at the specific invoice.

Mr. Rodgers stated he felt the residents did not want to pay the \$11,000 at this point. Mayor Zita stated he had spoken to the resident that initiated the petition and he has been in discussion with Mr. Demboski about the extra costs of \$8,000.00 and \$7,200.00 that would normally be paid by the City and that the line would be on the north side of the street. Mr. Rodgers asked if the City picks up that roughly \$15,000.00, are we doing that same with Nash Heights, and Mayor concurred. On a petition project the residents normally pay 100%. Mr. Grether stated this was in his ward and he would support covering the intersection costs from the sewer and water fund. The residents have gotten to this point with the petition and are asking for our help. Mr. Grether stated that he supports this slight adjustment. Mr. McGlone agreed, however this may not offset their costs that much. Mr. Grether noted that a reduced costs still does not include the tie ins. Mayor Zita stated this is just the engineers estimate for now until we go out for bids. Ms. Whipkey clarified we would be picking up \$15,000.00 and Mr. Tousley noted he thought it was \$15,200.00. Mayor Zita stated its \$7,200.00 and \$8,000.00 for a total of \$15,200.00 and Ms. Whipkey noted this is for ten (10) parcels so we would be decreasing their amount around \$1,500 actually. Ms. Whipkey stated she has no issue with this however; we are setting precedence here from this point forward for a petitioned project. Mr. Rodgers expressed the calculations and inquired on the cost per square foot. Mr. Pierson asked Mr. McGlone if he recalled the costs for the residents on Greenwich Road waterline assessment, and Mr. McGlone stated he thought it was about \$5,000.00 and we had grant money for some of that. Mr. Pierson stated the final assessment was about \$3,100.00 and this seemed high; can't we do something to reduce this? Mr. Tousley asked Mrs. Starosta if we take this \$15,200.00 from the general fund would this affect the road program fund? Mrs. Starosta stated no because she would take this from the Sewer & Water Fund 128. Mr. Rodgers stated we have heard the same hardship issue from the Nash Heights residents and we basically turned a deaf ear to it and have not been able to help them. He understands it is a problem for them too and he has a problem being in balance with this; that he is just trying to balance that all out. Mr. Rodgers asked if the lines were oversized and larger than necessary; the Mayor stated he did not believe so it is an 8" line for 560 feet. Mr. Grether noted these residents are already facing a disadvantage with this petition and he was not sure if we are helping out if we're not the ones driving this project. Some residents on Hametown have put in three (3) new wells and are about ready to sell as they are tired of waiting on water. These folks really have no choice but to go out with a petition as they are feeling the same way. It's just making the playing field fair; they are paying into this water and sewer fund and by driving the petition they essentially get no personal benefit from their investment into the fund. Mr. Grether asked about the bidding process and since the \$11,000.00 is already out there, any potential contractor is probably going to be just under that. Mr. Markey stated that historically the bids have been coming in lower, but it is project to project. He thought Mr. Demboski had a pretty good idea as to how the bids would come in, but it is only an estimate. Mr. Rodgers asked why is the Environmental Design Group always the developer for most projects in the City, are we locked in with Environmental Design by contract? Who has made that choice in the past? Mayor Zita stated we have no new projects, just the projects from the past; it has always been the previous City Administrator, and that there are a number of other qualified engineers out there.

Mr. Rodgers indicated others might be better able to locate grant funding for us and that perhaps we should be looking for better prices and possibly packaged projects. Mayor Zita stated when this eventually goes out for bid there may be 5-6 different contractors that respond and that is where we may see some savings. Mr. Grether expressed his concerns with the projected bidding process. Mr. Pierson asked if the Environmental Design Group wrote the bid specs and Mr. Markey concurred. Mr. Pierson noted in his past business practices there is a saying “write the bid and get the check”. Ms. Whipkey asked if an 8” line was normal for going into a neighborhood and Mayor Zita stated he believed it was required for fire hydrants and fire suppression. Ms. Whipkey asked if we have ever done a project like this that was petition driven and paid the extra fees? Mayor Zita replied he did not know if we had done this type of project since Mr. Collins was the Administrative Officer and that is where the petition process actually began, but he doesn’t know if we have actually done one. Ms. Whipkey brought up the Ole Stone Jail project and we would be facing the same situation to do the same thing for them. Ms. Whipkey asked if we can take another \$15,000.00 from that fund and put into a fund to help other residents assessed like Nash Heights that are being forced into assessments without petitioning? Mr. Tousley noted that in the past Council has waived the tap in fees if they tie in within a certain time and that would be a consideration for savings. Mr. Pierson stated the tap in fees are a small number in comparison to the assessment fee, and the residents on Greenwich Road have paid over \$18,000.00. Mr. Rodgers asked for this to be tabled until we have a full balance of Council.

Storm Water Management Services

Mr. McGlone stated that Council failed to adopt this at the last meeting and noted Mr. Tousley had concerns and asked if they have been addressed. Mr. Tousley indicated he spoke with Mr. Hassenyager at Summit County and he indicated he would get back to him on that and he is still waiting for his information. Mr. Tousley clarified he was not looking to get people to not pay, he was looking for limits. Mr. Rodgers noted the Clerk of Council had asked the Engineer for a contact list, which has not been produced yet. Mr. Rodgers stated he has contacted the City of Stow and is waiting on their response as well. Mr. McGlone continued this discussion to the next

Agricultural District Renewals

Mr. Grether noted that we now have a total of four (4) renewal applications filed. Mr. Grether stated the property owners are; Mr. Charles Seiberling, Michael & Rajena Quinn, Dale Adams, and Windfall Reserve (Bessemer Farms). Mr. Grether moved to place these four (4) on Councils next agenda and that the Public Hearings would take place at the second readings on February 24, 2014, seconded by Ms. Whipkey.

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

Motion passed 6-0.

EMS Billing Discussions

Mr. Pierson indicated that the Fire Chief's Secretary-Mrs. Janice Back was invited but could not be present due to other commitments. Mr. Pierson stated he had sent a letter to Chief Schultz asking to have a meeting with him to discuss collection processes and other issues. Mr. Pierson would like it put onto the next work session providing a meeting could be arranged prior to the meeting. Mr. Robert Copen, 2525 Sue Lane, Norton, stated that you are the legislative branch and that is where the fees are generated from and the current Chief was not even employed back then. It was several years ago when John Morgan was here and it was the Council at that time that charged everyone these fees, it was not the Fire Department that charged them. We did get Council to soften it up that if you were a City resident then you paid what your insurance paid and that was all, so nothing came out of the resident's pocket. If you think you are going to mess with that you will need to do another levy as to where will you get the money to replace that money. Mr. Copen stated that back then everything we used in a hospital run was replaced by the local hospitals. Mr. Pierson clarified that no one here is talking about changing anything and that the issue was raised by some residents because of their confusion with the process of billing their insurance companies. Mr. Pierson stated Chief Schultz is the Chief administrator and he should have some answers.

Auditor of State Agreement

Mr. Rodgers stated we had met with one of their employees on January 31, 2014 and we have an agreement with them. Mrs. Starosta indicated this was done with the approval of the Board of Control last Friday as well and that there has been no increase in the fees from last year. Mr. Rodgers moved to add this agreement Councils next agenda, seconded by Ms. Whipkey.

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

Motion passed 6-0.

Resolution of Intent-Nash Heights Funding

Mr. McGlone stated that Mrs. Starosta had sent out a memo and asked her to explain. Mrs. Starosta indicated we had applied for an OPWC loan and they required you to have a Resolution of Intent for seeking the reimbursement. Mr. Pierson clarified this is a zero interest loan and Mrs. Starosta replied yes. Mr. Pierson asked if contractors prefer being paid up front, and Mrs. Starosta stated some entities do it that way and that she was not sure if we have done it that way in the past. McGlone moved, to place this on Monday's agenda for a first reading, seconded by Mr. Grether.

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

Motion passed 6-0.

Apply for WPCL Funding-Nash Heights

Mr. McGlone turned this over to Mayor Zita for the details. Mayor Zita explained this is a low interest loan and the amount we have on that loan would cover the entire amount on the Nash Heights East Project. If we use that we still have the OPWC funds as an option. Mrs. Starosta explained the need for emergency language and for all three (3) readings was so that she would have the ability for a direct pay out. Ms. Whipkey stated she thought she read in the newspapers that in order to get this type of funding you have to go out for \$20,000,000.00. Mrs. Starosta stated she was not aware of this requirement. Mr. McGlone moved to place this on Councils next agenda for a first reading only, seconded by Mr. Grether.

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

Motion passed 6-0.

Mrs. Tompkins, 3848 S. Cleveland-Massillon Road, Norton, Ohio, questioned the legislation for the Administrative Officer and the pay range and asked if there was any discussion about an increase in mid term? Mayor Zita stated the low salary was part of the issue and it was discussed at some point in Executive Session to evaluate Mrs. Carr in the future and at Council's pleasure it could be appropriate. Mrs. Tompkins stated her question was to Mrs. Carr and if she expected an increase. Mrs. Carr stated she actually has no expectations at this point, as she really does not know what to expect in the future.

Unfinished Business:

None

New Business:

Airing of Televised Meetings.

Ms. Whipkey stated there have been complaints time after time about the quality of our airings, the timeliness of the recordings being made available on line, and has asked for assistance from the web designer in addition to Mr. Kostoff in the past. Ms. Whipkey noted that all six (6) of Council has signed a letter of direction to Mr. Markey; with the exception of Mr. Pelot and that we have been waiting to hear from Mr. Pelot regarding his intention. Ms. Whipkey noted the Special Council meeting of last Thursday was already been posted on the web page the very next day and if that can be done on one day, then the rest could be done in a day as well. Ms. Whipkey explained the detailed letter (see attached). Mr. Markey stated the Charter required a live stream and two more broadcasts, it is not dictating on Wednesday. Mr. Markey stated he was not sure what action he could take as he is not the Administration. Ms. Whipkey stated what we are saying is if the meeting is on Monday, the video should be aired by Wednesday, not on Friday because that would only give the residents three (3) days before the video is taken down. Mr. Markey suggested that letter be directed to Mayor Zita as well. Ms. Whipkey noted she has looked at the City of Green and New Franklin's videos and that they are wonderful to look at. Norton was one of the few communities that got started in this and now other communities are doing it better than we are.

Ms. Whipkey indicated that she would be looking into this and contacting them to see if we can move in that same direction. Mrs. June Maier, 1870 Caroline Avenue, Norton, Ohio noted several meeting ago we could not attend, and watched from home and you could not hear what is being stated outside of Ms. Whipkey and you need to get up to the microphone.

Topics for the next Work Session:

Legal Defenders Agreement for 2014

Replacement Vehicle Program for Police Cruisers

Contract for Jefferies Towing to include any city vehicles over one ton.

Public Comment-Agenda and Non Agenda Items:

Mr. Copen, 2525 Sue Lane, Norton, Ohio, stated last year he brought to the City's attention an issue with illegal activity of a internet arcades. The previous Law Director indicated that is an administrative issue. Mrs. Starosta had indicated one of them has already paid their fees and questioned if the others ever paid by December 31, 2013 as the law dictates? If they have not paid by December 31, their license is to be revoked. How can you renew a license that should have been revoked in the first place? Mr. Copen noted the Administration is not enforcing these laws and questioned where are they supposed to get the time to do that? When you pass laws with these fees, you need to consider who will be enforcing them and you my need to possibly hire some help. Mr. Copen stated there is supposedly a list of those businesses wanting to come in when that moratorium expires. Mr. Rodgers asked if there is such a list and Mayor Zita indicated there is and he would look into that. Mr. Grether stated if we have legislation on the books we need to follow it. There was discussion as to which ones have paid and when they were due to pay. Ms. Whipkey stated she felt that all four (4) have paid in full. Mrs. Starosta stated she would follow up with the Building Inspector to see who has or has not paid. Mr. Rodgers asked about the terminology change in the laws, and Mr. Markey indicated that the two (2) categories were amusement arcades and skilled games. The new terminology is now skill based amusement arcades.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:03 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.**