



## COMMITTEE WORK SESSION APRIL 21, 2014

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

Also Present: Mayor Mike Zita  
Valerie Wax Carr  
Laura Starosta  
Karla Richards  
Ann Campbell  
Police Chief Hete  
Dave White-Municipal Engineer

The Committee Work Session convened on Monday, April 21, 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.

### **General Topics of Discussion:**

#### City Property Insurance Renewal

Ms. Whipkey stated this is a yearly renewal we do for liability on all City property and personnel and that Mr. Wichert was present for any questions. Mrs. Carr introduced Mr. Wichert and that she had explained at the Board of Control that this is the time for renewal and the good news is the cost from last year has decreased from \$110,000.00 to about \$80,500.00. We have added some additional coverage due to internet and cyber issues. Mrs. Carr indicated that Mr. Wichert is our broker for the City and they go out for bids for our coverage. Mrs. Carr indicated Mr. Wichert has over 32 years experience and he is a former Council member from the Village of Silver Lake. Mr. Pierson asked about the bidding process with the underwriters and asked if the underwriters actually bid? Mr. Wichert replied no and explained the history with the territory they cover and all of the carriers available to the City in addition to the City's track record overall. Mr. Wichert stated this is only one of the many steps we do with the City all throughout the year to get to this renewal phase. Those underwriters take a look at the City's history and noted that Mrs. Starosta and Mayor Zita have been very involved in this process.

Ms. Whipkey asked about Section C under Equipment Breakdown and asked for details. Mr. Wichert discussed a pump that recently broke down in the Fire Dept., and this would be part of the category. Ms. Whipkey questioned the \$9 million dollar coverage and Mr. Wichert stated that we take all buildings and their stated values and this is part of the consideration. Mrs. Starosta noted that Item A. & B. on that same page total that \$9 million dollar figure. Mr. Wichert gave a brief background on the former fire station and relocation issues several years ago. Mr. Pierson asked about Item #17 Refrigeration Property Spoilage, and Mr. Wichert noted this is an add on and there are no additional costs associated with it. Mr. Pierson asked about education and training on loss prevention and Mr. Wichert noted that yes he does work with the City on that. Mr. Wichert indicated he had also reviewed the blueprints on the new fire station before it went out to bid. Mr. Rodgers noted the timing and that it is due for renewal and now and Mr. Wichert replied there is never anything routine here and last year the renewal was approved by Council around May 12, 2013; and we knew this was upcoming. In light of what is going on in the country, premiums are going up; however this is very advantageous for the City. Mrs. Carr stated she asked Mr. Wichert to start looking at our policy about six (6) weeks ago so we could get moving on this. Mr. Tousley asked if Mr. Wichert did come to the agreement around April 16, 2014, and Mr. Wichert & Mrs. Carr concurred. Mr. Pierson asked if the bids went out about 30 or 60 days prior to this and Mr. Wichert replied no we had discussions even into last year about changing some coverage last year in addition to the recent discussions. Mr. Wichert stated we are in a relatively stable market now and there is no reason to take drastic actions. Ms. Whipkey moved to add this to the Special Council Agenda, waiving readings and with emergency language, seconded by Mr. Rodgers. Mr. Tousley requested that in the future the Administration provide this renewal to us in time to give a couple of readings before voting. Mr. Tousley stated he feels he is pushed on this tonight and he really does not feel like he is voting. Mr. Tousley stated if anyone wanted to speak tonight, this is your only opportunity. Ms. Whipkey reiterated what Mr. Tousley stated adding that we don't like having to wave the readings. Ms. Whipkey stated we like to have the opportunity to look things over, however with this issue we are in the position that we need to act quickly. Ms. Whipkey stated she wants to see preventative steps taken in the future. Mr. Pierson echoed the previous statements and this just seems like business as usual and in the future he will not be voting on issues like this. Mr. Pierson urged Administration to get to work on getting issues to us sooner. Mrs. Carr stated we met on the 16<sup>th</sup> to get the information started, you can go three meetings and you don't have to use the emergency language. As the Administrator, she wanted the time to see that all things were in proper order. Mr. Pierson was not faulting Mrs. Carr; it's not her fault, Mayor Zita this is under your administration. Mr. Tousley stated his comments are not a direct reflection on Mrs. Carr; it's what he feels the residents deserve. Mr. Rodgers stated he told the residents he would do what is best for the citizens and the City and he will continue to do so. Mr. Rodgers stated he would never circumvent your will on a matter he feels the citizens would object to such as the sewer issues. Some of the issues are under a deadline we have to act quickly.

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

Motion passed 7-0.

Police Department Vehicle Purchase

Mr. Pierson discussed the need for emergency language and noted that Chief Hete was present for the discussions. Chief Hete stated the wait by the statewide bids process is about sixteen (16) weeks and with Fred Martin it's just a couple of weeks. We desperately need vehicles as soon as possible. We have one vehicle that is mothballed now at the Service Department and we have another one out with a blown engine. Mr. Rodgers stated we hope to get our regular vehicle replacement program moving along. Mr. Pierson moved to add this to the Special Council Agenda, waiving readings and with emergency language, seconded by Mr. Pelot.

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

Motion passed 7-0.

Engineering-Flood Damaged Road Reconstruction

Mr. McGlone discussed Mrs. Carr's request to survey the damage to Frashure Park in Norton Acres. This information is needed to obtain FEMA funding and would cost about \$29,000.00. Mrs. Carr stated we have been working with Summit County and they need additional information relating to surveying. Mrs. Carr stated this is needed to obtain substantial funding for the damages in the July 2013 flooding. Mr. White-Municipal Engineer stated the County has selected the engineering firm of GPD Group. Mr. White stated we will also need additional legislation later on before the end of June for OPWC as well. Mrs. Carr again noted Council can decide on how many readings are needed here. Mr. Pierson questioned if the City has to pay for this up front and then get reimbursed and Mrs. Carr concurred and that would be for the engineering as well. Mr. White indicated they need documented what is damaged and noted that the damage may be so bad we cannot get the cameras to go through the catch basins. Mr. McGlone stated with waiving readings this is not really rushing this through. Mr. Tousley asked since this happened last July, is it FEMA that was holding things up? Mr. White concurred and that last fall we had submitted numerous documents and they have now come back asking for more information. Ms. Whipkey stated this is basically spending \$29,000.00 to show the damages and that this will cover both neighborhoods Frashure & Norton Acres and Mr. White concurred. Ms. Whipkey concurred with Mr. White the total cost for this project was around \$800,000.00 to \$1,000,000.00 and Mr. White agreed. Mr. Pierson questioned if there was any damage to sanitary sewer lines and Mr. White replied no. McGlone moved to place this on the Special Council agenda, waiving readings and with emergency language, seconded by Mr. Pelot.

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

Motion passed 7-0.

Cleveland-Massillon Road Widening Transystems Contract

Mr. Rodgers noted that last week Council had adopted this legislation, however due to a procedural error; this needed to go through the Board of Control prior to Councils adoption. Mr. Rodgers noted that the Board of Control did approve this earlier this evening and this would be reconsidered at the end of the Special Council meeting later this evening. Mr. Rodgers moved to add this to the Special Council Meeting agenda tonight, seconded by Ms. Whipkey.

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

Motion passed 7-0.

Appointments to Boards & Commissions

Mr. Tousley turned this over to Mayor Zita. Mayor Zita presented his appointments and introduced the candidates for appointments and asked all to stand and introduce themselves. Mr. Tousley moved to place legislation appointing these members on Councils next agenda. Ms. Whipkey asked if we need to move with emergency language on these? Mayor Zita stated some boards are lacking members. Mr. Tousley and Ms. Whipkey removed their original motions and restated them to include emergency language and waiving readings.

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

Motion passed 7-0.

Summit Soil & Water Conservation District

Mr. Rodgers noted this is a renewal contract that needs to move forward and is part of the NPDES contract and is a requirement. Mr. White stated that Summit Soil and water takes care of this and is something we have had with them for a number of years. The State matches some of the funding and some of the rules have changed. We have already paid the fees for this year, and now they are requesting the legislation from the municipalities. Mr. Rodgers moved to place this on Councils next agenda waiving readings and with emergency language, seconded by Mr. Grether. Mrs. Carr noted that Mr. Markey has already prepared this required legislation for Council next week.

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

Motion passed 7-0.

**Unfinished Business:**

Mr. Grether announced that public hearing for Ord. #47-3014 for the Games of Skill will occur on May 12, 2014 at or about 7:00 or 7:15 PM. Ms. Whipkey asked Mayor Zita about the Watershed District meeting with the trustees and officials and questioned if this is open to the public? Mayor Zita replied he did not think so. Ms. Whipkey questioned how this can be a closed meeting and Mr. Markey stated he was not aware of the details and needs more information before he can respond to that. Mr. Tousley asked Mr. Rodgers for a sewer update. Mr. Rodgers stated we are talking with the County and are looking at vacuum systems as another option.

**New Business:**

None

**Topics for the next Work Session:**

Ms. Whipkey asked for discussion to repeal Ord. #34-1999 Section 208.04 for the Insurance Contracts. Mr. Markey asked for the reasoning and Ms. Whipkey stated we need to eliminate this all together and handle it like past precedence with approval from the Board of Control before coming to Council for approval. Mr. Rodgers stated he wants to discuss amending Council Rules 106: Meetings for Committee Work Sessions to eliminate the requirement that we shall hold two (2) Work Sessions per month unless there is a need specifically and wants to start with the next meeting on May 5, 2014. Mr. Tousley stated he believed Council Rule 108 states the President may chose to cancel a meeting at anytime. Mr. Grether noted that the extra Monday freed up could be used to do other things in the community like attend the Norton School Board Meetings.

**Public Comment-Agenda and Non Agenda Items:**

Ms. Denise Whitworth, 2867 Carillion Drive, Norton, Ohio stated that she has lived here for 22 years and has a beautiful home. She and other residents have prepared a petition for all of you to address relating to a dilemma with a vacant house in their neighborhood with raccoons that cost her over \$200 to get rid of in her home. Ms. Whitworth stated this home was condemned in 2002 and 2004 and nothing has been done. Ms. Whitworth stated that she witnessed a man that actually shot at the rodents; there were also two (2) marijuana plants on the property. Ms. Whitworth stated she and her puppy were nearly attacked in her own yard by these raccoons. We are asking if this was condemned over 10 years ago what would you do? Ms. Whitworth noted these taxes are paid in full and the property is appraised on the internet for over \$98,000.00. Ms. Whitworth stated everything in this vacant house has been taken out of it. This is no longer the neighborhood she wants to live in, and urged Council and Administration to go and take a look at this property. Mrs. Whitworth stated that her house value has dropped by \$40,000.00 and was told this by three (3) different real estate appraisers. There are rats, coyotes, etc., that are walking around the property and out into the roads. What is the process for the Health Department once the property has been condemned? Ms. Whipkey asked how many residents have signed your petition and Ms. Whitworth replied twenty-seven (27). Mrs. Carr stated she is aware of this and this home is on the list for tear down this year and this is a number one priority for the City.

**Public Comment-Agenda and Non Agenda Items Continued:**

Ms. Whitworth stated the correct address is 2817 and the house next door is 2800. Mrs. Carr noted she would also notify the Norton Police Dept, on this as well. Mr. Rodgers asked Mr. Markey to work with Mrs. Carr on expediting this issue and Mrs. Carr promised a full report next week and that we already have people working on this now. Ms. Whipkey stated she understands this house has been vacant for nearly twenty-seven (27) years. Ms. Whitworth questioned how can such a house be appraised at this figure?

Ms. Gayle Brenner, 4041 Harper Avenue, Norton, Ohio, read her statement relating to Issue #1, cell phone use and Council member's salaries (see attached) Ms. Brenner questioned how Mr. Tousley and others could possible vote no on Issue #1 last week? This is for a renewal and she cannot understand how you cannot support this. Ms. Brenner stated that Mr. Tousley asked the voters for their support of him on Council. Mr. Tousley responded to her objection on Issue #1 and that he has nothing against Issue #11 and he fully supports this and felt this would pass. He was telling people that it's their choice to vote on this or not and he did not want to taint their decision. Mr. Tousley stated he educated the residents on the previous Issue #1 and he was not against that issue or this current one. Ms. Whipkey stated she agrees with Mr. Tousley and that it's not her job to tell you how to vote, it's her job to get the information out to you so you can decide. Ms. Whipkey responded about the use of cell phones by Council members and she stated we are having issues with the live video feed and if we cannot have someone outside telling us how things are going we could be in violation of the Charter. We even cancelled one meeting last year because we knew in advance that meeting could not be televised at that time. Mr. Pierson commented about the salary issues Ms. Brenner raised and stated that none of us ran for that \$7,500.00 and last week alone he spent over twenty (20) hours working on City issues. Mr. Pierson stated when he was on the other side of the podium he was mostly requesting information and documentations from the Council and Administration on various issues.

Sara Priddle, 2808 Carillion Drive, Norton, Ohio, provided Council with several photos of the issues relating to the abandoned home on their road (see attached). Mrs. Priddle stated she even brought her children here tonight to see how standing up for issues works in your community. Mrs. Priddle stated she really appreciates the concerns and compassions this Council & Administration have expressed over this issue tonight.

Mr. Kelly Murray, 2798 Carillion Drive, Norton, Ohio, stated he has gone as far as to offer to pay for the lumber to board up the windows, etc. Mr. Murray stated he has mowed the lawn numerous times and has had raccoons in his yard as well. Mr. Murray stated he does not condone shooting these animals and commented on a past incident with someone firing a weapon in the neighborhood. Mr. Grether asked if the City has considered using this as a burn down property for training with the Fire Department and Mrs. Carr stated that could be possible, however this would just slow things down too much at this stage.

**Public Updates:**

Mr. Rodgers stated this is something new that will appear on the agendas from now on to provide the public with a brief update on key issues like we did earlier this evening with the sewer updates. Ms. Whipkey stated that as mentioned we are working on improving our video and sound quality.

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:19 PM.

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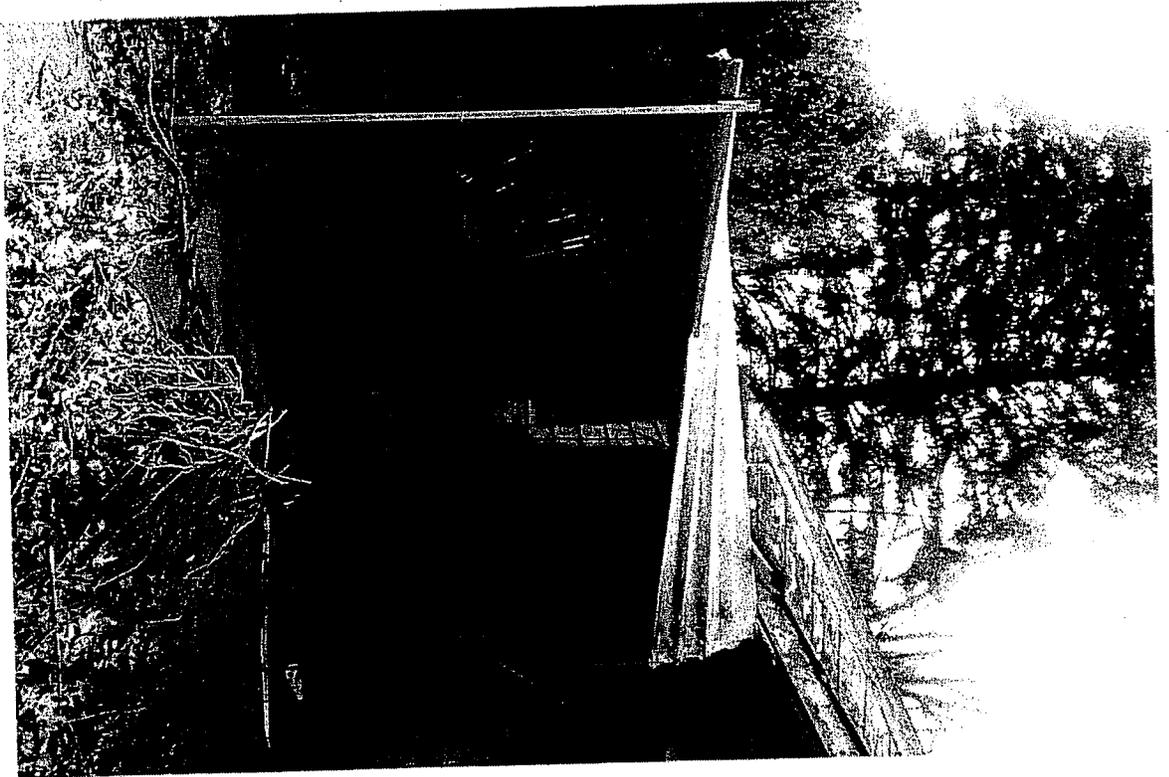
Rick Rodgers, President of Council

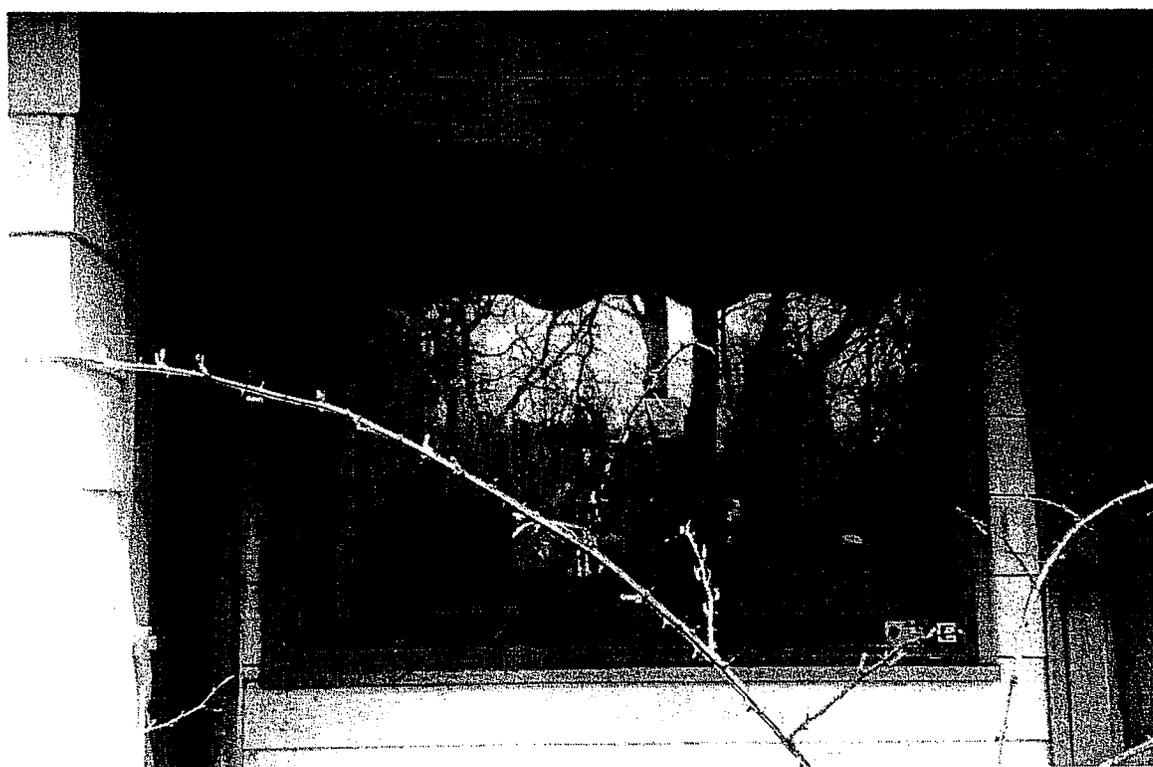
**\*NOTE: THESE MINUTES ARE NOT VERBATIM\***

**\*\*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.**

Submitted on 4-21-14 AT WORK Session





I have a few comments I would like to make.

1. Most of you have stood at this podium at one time or another and addressed previous councilmembers. I know you are aware of the rules such as sign in 5 minutes before the meeting if you want to speak, etc. You have all taken an oath of office to abide by the rules and there is a sign on the podium that reads "NO CELL PHONE AREA. CELL PHONES ARE PROHIBITED DURING COUNCIL AND COMMITTEE MEETINGS OR MAYORS COURT. TURN OFF OR MUTE YOUR CELL PHONE." Yet, council members are paying attention to their cell phone during the meeting. They are being paid \$7500.00 a year like the rest of the council members, except for the president who gets \$8500.00 a year. Why are you or any other council member being paid to watch your phone instead of dealing with the issues? If you are paying attention to what someone is texting you instead of hearing people, how are you able to make an informed decision?
2. An amendment I would like to see done to the Charter is pertaining to Council President and Vice President. I, like other residents I have spoken to, feel that the Council President and Vice President should not be newly elected councilmembers. They should have at least 1 year experience as a Councilmember before being considered for those 2 positions. There were 3 councilmembers, 2 of which have already held the Council President and Vice President positions, who were better qualified. Only one of the 3 was chosen who had no prior experience.
3. Councilman Tousley, last week, you said you could not support Issue 1 on the May 6<sup>th</sup> ballot of which Councilmembers Pierson and Whipkey agreed with you. Have you 3 done your homework on this issue? Have you looked at it? I did and I have a copy if you want to see it. You have all been up at this podium telling previous council and administration to go after grant money for roads, sewer, bridges, etc. That is exactly what this issue is for and the city has already benefitted from it and you three don't want to support it? You are telling myself and the other Norton residents you want to see them pay for 100% of the city infrastructure such as roads, sewer, etc. out of their pocket instead of grants. Councilman Tousley, you said you can't tell people how to vote on Issue 1. Let me ask you this, when you were out campaigning, didn't you tell people to vote for you so you could be sitting up there collecting \$7500.00 a year? Now that you are there, you don't want to make any decisions, you keep saying..."let the people vote on it". If we the residents have to vote on everything, why are all of you sitting up there collecting our tax dollars? I realize, as the other residents realize, you are not going to please everyone. You may not tell people Issue 1 is a good thing but, I will.

Received From Gayle Brenner 4-24-14.