COMMITTEE WORK SESSION
OCTOBER 20, 2014

Committee Members Present:	Scott Pelot Dennis McGlone Danny Grether Dennis Pierson-Excused Paul Tousley Charlotte Whipkey Rick Rodgers
Also Present:	Mayor Mike Zita Valerie Wax Carr Ron Messner Justin Markey Karla Richards Ann Campbell

The Committee Work Session convened on Monday, October 20, 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:

Wolf Creek Watershed District

Mr. Rodgers welcomed Barberton Mayor Judge to discuss this issue. Mayor Judge discussed the proposal and reviewed the attached information sheet (see attached), pointing out the purpose of the district was to mitigate flooding, improve the quality of water runoff, increase funding from grants, bond money for additional funding, and giving us a lot of voice in speaking to officials at state and federal levels. Mayor Judge indicated the boundary proposed is Copley, Barberton, and Norton. Mayor Judge indicated other governments have been spoken to concerning the district and can join in later but not at the initial formation of the District. Some of the other governments spoken to included: Fairlawn, Bath Township, Akron, Sharon Township in Medina County, Wadsworth Township, and Granger Township. Mayor Judge indicated that the big question is assessment and no one wants to see more taxes. However if you can see what you are getting and can stop the flooding it is something most would be willing to pay. Mayor Judge discussed the various districts and how their assessments were determined, but it is very difficult to stand here and say what the assessment would be for this district as there are variables. Once we move forward and set this up, it will be up to the Court and administrators to decide what is the best method and costs for everyone; the Court would have to listen to that and make the final ruling. There are a lot of steps to get to that point, but public input is valuable and will be sought out.

Mayor Judge indicated that all three (3) communities have adopted Resolutions of Support for discussion and moving forward, adding that it was very important to get as much support as possible from the residents, business owners, and other government agencies before going to the Court. It's now time to get the information out to the residents in the various communities and will be about a two (2) year time frame to get this up and running. It all starts with a petition process and he plans to get out to all communities and discuss this with all of the interested residents. Revised Code Section 6101 allows and covers the formation of these districts. Mayor Judge noted any money collected in this district must be spent only within the district. Mayor Judge elaborated on the two year process by stating some of the steps will happen concurrently, a board would be set up, set up your appraisers, have public input, set up the plan and a comprehensive report. Mayor Judge stated he felt all 3 communities had done a fine job of pinpointing where the inflows and outflows are and where the flooding issues are, so a lot of the studies are done already. Everything is submitted to the Court as well as what will be done to fix the issues and how much it will cost, although the cost is changeable; however we will not get new businesses to move in with the flooding. Mr. Tousley asked about the possible additional governments and asked if Mayor Judge has approached them? Mayor Judge replied yes, they understand the process and some are willing to join in at a later time, and then some of these communities have flooded since then and they want to do their own studies. Mr. Tousley noted what he has read in the papers some of these communities are considering forming their own districts. Mayor Judge answered they had not said that to him, but he believed they were looking at all options and having meetings with their residents. Ms. Whipkey stated so at this time none of these are on board yet and questioned the monies coming from our citizens if it would be disbursed to the other areas? Mayor Judge responded it was correct they were not on board as yet and that he understands it would be spent in the boundary within the area. Mayor Judge stated once this is formed you may not see anything tangible being done in Barberton or Norton, it might be focused in Copley. But it will stop the flooding from getting to both of us. Mr. Grether stated he felt the more help we could get to the north of us, it would eventually benefit our communities. Mayor Judge replied that's correct and going north would bring into the mix Medina County so we would have to approach them as well. Mr. Grether stated as a district we would have the say as to who can join and when, and Mayor Judge concurred, and if you have a project in motion those monies would be spent on that project only. Ms. Whipkey commented if we had a project in motion or finished, and then another entity wants to join in and add their funding, it's possible we would have spent money we really didn't need to in an area as the issue could have been handled in the new entity's area to begin with. Mayor Judge concurred that that was a possibility adding that we had to start somewhere and we have issued that need to be addressed; that the thought is a fear in Barberton if they create retention ponds another area could impact those efforts, but they are willing to do it anyway because they don't want the flood. Mr. Rodgers stated the 3 communities right now are actively working to solve the issue coming through Copley. Ms. Whipkey stated it was her understanding that for the Little Farms project the other two communities haven't committed as yet. Mrs. Carr stated the Copley, Norton, Barberton project with the Little Farms process was being started and even with the Army Corp. funding is more than two (2) years away.

The timing here is almost perfect with both of these issues as it will start some funding and none of the communities could do it on their own; it would be beneficial to all the communities whether the others come on or not. Mrs. Carr noted in the maps that Engineer Dave White has presented in the past show the waters are coming as far north as the Stan Hywet property and it will not be a cheap project. Mayor Judge stressed the urgent need for grant funding and this is the right step moving ahead to get the funding that is available; everyone he has talked to is on board with it. Mr. Pelot asked if there is a website address where residents can go to get this information? Mayor Judge noted there is information on the City of Barberton's website for storm water, and he would like to get a separate link just for this. Mayor Judge stated it is interesting to note that the Muskingum district is actually giving some money back to the residents. Mr. Rodgers stated he would like to have it written into the later legislation that any money collected from the well companies where they are making their millions, as in the Muskingum Watershed District, that involves our residents would be reimbursed as we will be grabbing acres and acres of land. Ms. Whipkey asked if Mr. Rodgers was referring to the fracking and Mr. Rodgers concurred. Mayor Judge stated he was not sure about our three communities and if we have the number of required acres for fracking. Ms. Whipkey cautioned about the fracking for the impact on the ground water quality, in addition to the increased risks of earthquakes, and pointing out many people were against fracking. Mr. Grether stated that he fully supports this district and encouraged both Mayors to arrange for joint town hall meetings to really get the public involved and get the information to everyone. Mayor Judge agreed and noted this is the next step to have at least one public meeting and with having the experts and engineers attend would be a great benefit; he does not want anyone to say they do not know about it. Ms. Whipkey asked if anyone is in the process of collecting signatures now from the public? Mayor Judge replied no, not that he was aware of and he believed we need 500 plus signatures. Ms. Whipkey stated once they have the 500 signatures, it won't matter how any of the communities Councils feel about it gets passed onto the Judge for approval. Mayor Judge stated that is why he is here tonight to see that Norton Council is supportive of this. Ms. Whipkey stated that as long as the public is educated on this and they are aware that this will be an assessment to them. Ms Whipkey stated she did not want to see the problems like were involved in formation of the MAD. The residents felt like they were tricked into that and were misinformed that they would not be assessed; although in the end, it has worked out well with the MAD, there are still hard feelings by the public on the procedure used. Ms. Whipkey noted that with the MAD assessment for a less than $100,000.00 home they are paying $9.00 a half on their taxes. This is a much larger project and these assessment costs for the watershed district would be much higher and she did not think it would comparable moneywise. Mayor Judge reminded everyone in the MAD you do not have Copley Township involved, and you also have the ability to go for grant funding where with MAD that was not an option. Mayor Zita commented as with the grant process you have all three (3) of us going together and we stand a much better chance with this option. Mr. Rodgers stated he and Mr. White visited a resident on Wadsworth Road who in the last flood showed them he had a four (4) ft flood level in his basement. This resident lost a $40,000.00 car, plus another car, in addition to other loses which fortunately he had flood insurance to cover this. Mr. Tousley asked if the Muskingum Watershed District has been contacted and shown any interest in helping?

Mayor Judge replied yes; but he was under the assumption that when you create a district directors were appointed to take the politics out of it and if we joined Muskingum we would not have a say in what the district does. Mr. Dave White indicated everyone within the watershed district has some say and joining Muskingum as a sub-district would be one option. Until Mr. Rozelle came in and was recommended from the Muskingum Watershed District with a lot of information; Mr. White indicated that he did not even know what a watershed conservancy was until Mr. Rozelle came in interacting with Muskingum. Mr. Rozelle recommended we create an independent district that could later become a sub-district of Muskingum allowing you to weigh the differences. It was easier to do a separate district now as opposed to a sub-district and splitting apart later. Mr. White stated it was a very complex thing to understand watersheds and was pleased with some of the comments and questions brought forth to bring some of the misunderstanding to the surface. Mr. Tousley stated Wolf Creek is part of the Muskingum Watershed, but not the Muskingum Conservancy District and Mr. White concurred. Mr. White stated that it was formed in 1932 they did not include all of the watershed due partially from the poorly produced mapping, and for reasons unknown, the filing in Summit County included all the different Counties and townships within those Counties. Summit County specifically included Coventry, Green, and Franklin Townships. Most were townships back then, not cities, and when making Coventry Township it said all of Coventry Township outside the boundaries of Akron and Barberton. As it is all a part of the watershed, Muskingum is interested, working with us, and very aware of what is going on here as it could have an impact on their lower part of the watershed as well and could put some money into the upper part of the watershed.

Amend Chapter 1297.07 RV Parking

Mr. Grether stated this has gone through the voting and numerous readings. We still have time to work on something with Mr. Markey and the Administration to come up with suitable language to look at and send back for the Planning Commission. Mr. Pelot asked about the time line to send something back to Planning and Mr. Markey replied that there is no real time line, the moratorium will soon be in effect and will take it to December 31, 2014 so the sooner the better. Any ordinance Council would pass would be treated as an application to the Planning Commission for them to consider and move forward. The moratorium does not go into effect for 30 days from last Tuesday and until that time the current law still exists; Council's last meeting is December 8th so any action would need to be taken before that.

Zip Code Issues

Mr. Grether stated he has been researching this issue extensively and every Mayor we have had has gone down this road. Mayor Zita had really pushed this issue and sat down with higher elected officials in the past. Mr. Grether discussed the standard format that's been used and hopes to present a better presentation and format to get this more attention. This is something that would take more time and encouraged Council members to get feedback from residents and businesses to see how they have been impacted. Mr. Grether discussed in 1998 thru 2001 we had issues with our city collecting BMV fees that were being sent to Barberton and a consultant was used to discover the monies and bringing them back to Norton. Mr. Grether stated that he has informed Mrs. Carr about this and still is not sure this situation has been corrected.

Mr. McGlone asked if we have anything in writing about being rejected in the past and Mr. Grether replied yes, it's on file. Basically they have stated there is no money in it for them, however if we can prove to them that our residents and businesses are losing out that would be a better approach than an identity approach. Mr. Rodgers stated he cannot tell how many times when he has been online to place an order once you enter the 44203 zip code it always comes up as Barberton not Norton. Mr. Grether agreed and is not sure how much tax revenue we really are missing out on here and perhaps what impact it could have for getting grant dollars. Ms. Whipkey asked what reflection does the moving of our Norton Post office have and Mr. Grether stated he felt it was critically important. Ms. Whipkey asked again about there being a specific time line to resubmit a request. Mr. Markey stated he did research the Ohio Revised Code and found nothing, but would work with Mr. Grether on this further. Mr. Pelot asked if we can prove we have lost grant money because of this issue; and questioned if anyone sued the US Postal Service? Mr. Markey replied he is not aware of any suits, but if someone has been successful on grounds that we had the same circumstances would be our best bet. Mr. Rodgers stated he felt that contacting our elected officials that had influence on our postmen is our best resource and questioned what kind of an impact would a large petition from our residents and businesses have here? Mayor Zita replied that was done in the past and there were quite a few signatures that he recalled. Mr. Grether read the last rejection letter the City received in January of this year; specifically paragraph four (4) which states *"The establishment of a zip code for the City of Norton is not cost efficient and does not provide an operational gain or service improvement to the Postal service"* Ms. Whipkey stated she liked Mr. Pelot's idea. Mr. Grether noted we really need to look into the dollars we might be losing here. Mr. Messner stated that as a Copley Twp. Resident his mail used to be routed from the Norton branch and it's now coming from Barberton indicating it is a precursor to eliminating the Norton Post Office. Mr. Rodgers stated we need to do whatever we can to keep this in Norton. Mrs. Carr asked if other communities have been successful in getting their own zip code, and Mr. Grether commented on a congressional report and that Auburn Township is one. We need to know if they already had a shared zip code or was this their first dedicated code. Ms. Whipkey asked didn't the Post Office go to the public to keep mail delivery 6 days a week? Mr. Rodgers and Mr. Pelot stated the Post Master wanted to cut delivery days and the union was against it.

Mr. Robert Copen, 2525 Sue Lane, Norton, Ohio, discussed several years ago he had a certified letter that required action by him within a 48 hour time frame. This letter took 5 days for it to get to him after being routed to four (4) different post offices to get it to his house which is less than five (5) miles away Ms. Whipkey asked Mrs. Richards about the certified letters for the Nash Heights and if these residents had a specific time line. Mrs. Richards noted that letter was a notice of assessment and the on time frame is that they had two (2) weeks to file a letter of objection. Some letters were never served and eventually she had to post a legal notice in the Barberton Herald for approximately five (5) or six (6) properties.

<u>Heritage Homes Program for 2015</u>

Mr. Rodgers stated he has contacted the City of Green and their Planning Department and also Hudson is involved.

Mr. Rodgers asked Green about the buy in costs and if it was offset and he was told kind of yes and no as it was up to the City to actually promote the program and explain it to the public. Mr. Rodgers stated all in all it's a good deal for the residents for receiving low interest loans for remodeling, energy efficient projects, etc.

The program also has a listing of contractors that could be recommended, albeit they are mostly in the Cleveland area. Mr. Rodgers stated the homes must be forty (40) years or older. Mr. Rodgers asked if there was support of Council to ask someone from Heritage Homes for a presentation; there was no objection. Ms. Whipkey clarified the age of the homes because she thought Green stated the homes must be forty (40), but the Heritage Program site stated fifty (50) years old so the Program would go along with forty (40) years for Norton as well. Mr. Rodgers stated the people at the Heritage Homes told him forty (40) so he believed we could get forty (40). There was discussion of the costs of the City to be involved and Mr. Rodgers stated he believed it was estimated at around $6,000.00 for the year. Mr. Messner indicated for this year it would have been $3,100.00 if we got involved before December 31, 2014 which will not be able to do. Next year the cost would be $4,950.00 and he has put this in the 2015 Budget for next year. Mrs. Carr stated a presentation is a good idea and suggested they provide examples of the types of repairs, income levels, etc., because there is certain criteria for low to moderate income levels the resident must meet. Mr. Messner pointed out that for 2014, a household of 1-2 a yearly income of less than $62,100 or less than $71,415 for more than 2 people in the family was required. Mrs. Carr stated she wanted to make sure citizens understood the program operated like any bank loan and they would need to reveal income. Mayor Zita reminded everyone that the residents do not come to the Council for approval, it's the Heritage Home Board of Directors. Mr. Rodgers stated Green indicated they had some free design work for some of their city owned buildings because they met the age of the buildings.

Mr. Rodgers stated the Green officials indicated it was a tough sell for the residents to get involved Ms. Whipkey asked if this also could assist in septic systems repairs and Mr. Rodgers replied he was not sure but this is something we could be asking at a future presentation.

<u>Attorney General Unpaid Fine Collections</u>

Mr. Rodgers indicated last week we touched on this subject and that Mrs. Carr and Mr. Messner have provided details for our review (see attached). Mr. Messner corrected the first amount billed by Life Force is year to date not month to date (from January thru September) with over $220,000 deposited for the City out of roughly $430,000. The $200,000 difference is due to residents that are not charged or insurance co-pays and such. Life Force has actually been doing a good job. Mr. Messner stated that once Life Force heard the presentation by the Attorney General they are turning everything over to the AG for collection because there is absolutely no cost to them as the AG adds any collection expense right to the bill to be collected. Mr. Rodgers asked if Life Force charges a collection fee and Mr. Messner indicated he was not sure of this would check into that and email a response. He believed if a person owes $300.00 Life Force sends that bill to the AG for collection and the AF may in fact be charging a fee.

Mr. Rodgers stated he believed we need to do our process first before sending to the AG's office and Mr. Messner concurred. Mr. Messner stated noted there would be more impact receiving a letter from the AG's office. Mr. Messner also noted that if this current AG does not win re-election this November, this program could end up going away. Ms. Whipkey asked if we knew if other communities are using their services why couldn't we pressure any new officials to continue the program. Mrs. Carr explained the process in the Mayors Courts for unpaid fines and that we currently $2,717.99 on payment plans with 10 different offenders. There is also a bench warrant and a license block placed on their license. Mrs. Carr noted there is a monthly report showing all debts owed totaling $39,112.00 and goes back to 2000. Mrs. Carr reported that one person on this list does not live in Ohio and was not sure how we could collect from out of state residents. Mrs. Carr informed Council that once she specifically looked for out of state residents, there were 2-3 per page that we may never be able to collect from. Mr. Markey stated he was not sure and this is something the AG could explain. Mr. Rodgers stated if we can collect then there really is no downside to this and we should collect what we can. Mr. Rodgers urged the Administration to move ahead for these collections and we have already adopted legislation for this.

Audio Visual Issues

Mr. Rodgers stated the Ohio Supreme Court has ruled on this lawsuit and asked Mr. Markey to explain. Mr. Markey stated the report states the City's method of televised meetings does comply. Mr. Rodgers stated he felt we need to work to get this working properly. Mr. McGlone asked how much it cost the City for defending this and he replied around $11,000.00. Ms. Whipkey clarified it was $11,460.10. Mrs. Carr indicated there was a question as to how many are actually tuned in on Monday nights. The long story short-- we have about five (5) people average watching the live broadcast. Mrs. Carr discussed the errors on October 14, 2014 and that she is looking into at least two (2) other options to correct any future errors. Mr. Rodgers stated if we have any future issues with airing this we have to stop the meetings; and Mr. Markey stated that is a conservative interpretation of the Charter. Mr. Rodgers stated we had to get it right. Mr. Grether stated that as responsible Council we are spending thousands and thousands of dollars here and he is not willing to spend more money on this just for the 5 people watching; he did not believe it was fair to the people of Norton. We could not do a broadcast like the City of Green does. Ms. Whipkey stated we had more viewers watching this when we had Time Warner and she felt people quit watching the live broadcasts because they got tired of trying to watch or listen with all the issues it's had for the last two years. This Charter amendment came about because the City refused to make it happen on their own while other cities did it on their own without a Charter Amendment to require it. We have spent nearly $20,000.00 on this and if the City had moved to utilize Time Warner years ago, we could have had a 24/7 channel of our own to use in many ways instead of the $40,000 required later. She feels the people have the right to have it and no she is not in favor of spending more money, but it has been alleged that from the beginning the effort was not made for it to be a success and done correctly. Whatever wasn't done right from the start needs to be addressed be that the operation or the operations. We have put enough money here that it should be working correctly.

Mr. Tousley stated he respects Mr. Grether's comments and reminded everyone that there were thousands of the voters that said they want televised meetings live; even though they are not watching the meeting at this moment, does not mean they do not want it on. Mr. Grether commented that is aware that we have had zero residents that physically come into this building twice a week to watch the TV's. Mr. Grether stated he would like to hear from the residents if they want this or not, and if they are interested in continuing. Are people not aware it is available? Ms. Whipkey stated she does talk to people at times that are not aware it is available. Mr. Grether stated he talks to people that wonder who would want to spend Monday night watching it. Mr. Eric Brettschneider (IT Consultant) commented about the initial set up directives from the past administration at the least expensive option. Mr. Rodgers reminded everyone that it's by Charter that we have to do this and we have got to get this right. Mr. Brettschneider stated he proposed the initial set up equipment at a minimal cost. Last week we were having a few separate issues that appeared to all be internet related. You were able to go into the Executive Session and come back to a working system, and really have no definitive explanation for last week. He indicated that he really does not know why there is such a low turn out now. Mr. Brettschneider stated that even in 2014 to produce live video and live sound at the same time has been more than complicated than he expected. Mr. McGlone indicated that even if we had a more expensive and more sufficient system and what happened last week still could have happened, and Mr. Brettschneider concurred. Mr. Grether noted he has a Mac notebook and has never had any issues in viewing. Mr. Brettschneider indicated that every Monday there is a series of checks and balances that he starts about 2 hrs before the meetings and all is working properly. Mr. Jim Lino, 5058 Grove Avenue, Norton, stated that maybe a lot of people in town don't know how to watch the programs? Maybe they just don't know how to get to it. Mrs. Carr noted this is posted on the City's web page.. There was discussion to add a note to the Council agendas and Mr. Rodgers stated that we could ask the local papers to post something as well. Ms Whipkey took issue with the Administrations decision to re-air the meetings twice a week with our Clerk of Council having to do this as those airings were an Administrative decision, not Councils. Ms. Whipkey stated if it's not required why are we doing it and just not doing it by request. Mrs. Carr discussed the language in the Charter and if this is sufficient and Mr. Markey stated that we believe that this additional twice weekly is clearly spelled out in their language, and he is not comfortable removing the twice weekly re broadcast process. Ms. Whipkey commented that in the past the videos were actually aired twice a week on Time Warner. Mr. Pelot asked if we could set up a specific time on the website to re-air them? Ms. Whipkey noted they already are airing 24-7. Mr. Markey stated now that the Court has upheld everything that you have done and is not sure you now want to take anything away from this. Mr. Markey stated the intent for the Council chamber airings was to keep people from being able to challenge the airings, not knowing what the Supreme Court would end up deciding and now he would hesitate taking anything away now that they did accept everything presented and could allow a re-challenge by changing it. Mr. Pelot added that what Mr. Markey is stating if we change any of the process, we could potentially open ourselves up to more lawsuits. Mrs. Carr stated that in order to do our due diligence and not with any disrespect to Eric, she would like to look into these other two (2) possibilities and technologies change every day. Mr. Grether stated that he does not disagree with this, however he wanted the other 12,000 residents to know that we have only five (5) people watching this live.

Mrs. Parker, 3585 Greenwich Road, Norton, Ohio stated this also depends if you are on a 4G network, and in her travels she has not been able to watch, she has tried wi-fi hot spots and it still does not work.

Mr. Jack Gainer, 3920 Wadsworth Road, Norton, commented about the Committee and it was our recommendation for television and website posting. Televising was more expensive and the Administration and Council chose to go with the website. Mr. Gainer stated you will not get more than five (5) or ten (10) people to go onto the web to watch it. Mr. Gainer stated he was not in favor of this lawsuit; however we should have bought the fiber optic station for around $30,000.00 and it would have been ours. You are always going to have problems with computers and he still cannot see your faces on the monitors, now matter how much he expands the screen. It should have been done this way to start with and then Mr. Paluch would not have had to file that law suit. It was decided this was the least expensive option to the City at that time. Mr. Gainer stated that all of the good communities he knows they all have a public access channel for the residents to be informed. Mr. Gainer stated he felt everyone who voted for this thought they would be getting this on their TV's not on the web. Mr. Rodgers suggested that the school and the city should get together and work on this for the future. Mrs. Carr stated that she is mostly concerned with the charter requirement of live. Mr. Gainer stated that there were no time restrictions. Mr. Rodgers suggested we research this more in

Unfinished Business:

Mr. McGlone asked Mr. Messner about his goal and time line for the 2015 Budget as we only have four (4) meetings left. Mr. Messner indicated by next Monday he intends to get the budget books to all of you. He has met with Mr. Rodgers and intends to meet with the Committee Members. Mr. Messner stated he intends to have discussion at the next four (4) meetings. Mr. Messner stated that he has been working on this and just last week he received the health care numbers. Mr. Rodgers noted that in all fairness to Mr. Messner, the budget review will be a different process than what you are used to seeing. Ms. Whipkey noted that she has heard from various sources about the amount of time he has worked on this and she appreciated his attention to the Budget. Mr. Messner stated that what he has been preparing will be more clear to all of you. Mr. Messner indicated that there would be something new as a summary or overview sheets for each department.

New Business:

None

Topics for the next Work Session:

None at this time, possibly an update on the zip code issue. Mr. Rodgers stated we could hold off on asking for a presentation from the Heritage Homes Program until next January due to the budget review. Mr. Rodgers stated he has a request from Mr. Karant and some other experts about sewers to come to Council. Mr. Rodgers indicated that Mr. Karant would like to do this before we get the report back from EDG. There were no objections and it was decided next Monday would be appropriate if that worked for Mr. Karant and the others. Mr. Rodgers stated Mr. Karant has asked for about a thirty (30) minute discussion. Mrs. Carr noted that next Work Session of November 4, 2014 would be for the 2015 Budget discussions.

Public Comment-Agenda and Non Agenda Items:
Mr. Robert Copen, 2525 Sue Lane, Norton, Ohio, stated he can hear the audio just fine, and he does not need to look at your faces. Mr. Copen stated he supports Issue #12 and urged the City to support this. Mr. Copen noted the Fire Dept radios are actually coming from levy funds. Mr. Copen stated you should do a resolution of support. Mr. Copen discussed Judge McKenney and how he spent his time to help several residents with their deeds information and urged everyone to vote for him as Judge.

Public Updates:
Mr. Rodgers noted there would be a Town Meeting November 19, 2014 from 7-9 PM. An agenda would be forthcoming and it is for all wards and all Council members.

Mr. Grether moved to prepare a resolution of Councils support for of Issue #12 for Councils next agenda, seconded by Mr. Rodgers. Mr. Markey stated he would prepare language to accommodate Councils intention.

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

Motion passed 6-0.

Adjourn
There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:17 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.

Rec. 10/20/14 by
Mayor Dodge

Wolf Creek Watershed Conservancy District

Purpose of a Watershed District: The proposed Wolf Creek Watershed District is two-fold; a district would 1. Help mitigate flooding caused by rain and storm water run-off; 2. Improve the quality of water run-off. Goals of purpose of the watershed district would be to prevent floods, regulate streams, reclaim lands, provide irrigation, regulate stream flow, divert watercourses, provide water supply, and treat sewage.

Watershed Districts provide a lot of positives including but not limited to: allowing participates to attack the issue of flooding and water quality from a regional perspective providing a greater opportunity for resolution, eminent domain, districts provide a greater opportunity for increased funding from the state and Federal levels, the ability to pull resources from a larger geographical area, bonding capacity for additional funding, and many other proactive and positive actions.

Local Governments Involved: City of Barberton, City of Norton, & Copley Township

Boundary: The boundary of the proposed Wolf Creek Watershed Conservancy District will boarder the communities of the City of Barberton, City of Norton, & Copley Township. Even though the Wolf Creek Watershed encompasses the southwest corner of Summit County and extends into the eastern portion of Medina County, the current proposal is limited to the three communities listed above. By establishing the Conservancy District, the opportunity exists for other communities within the named watershed to become a part of the district in the future.

Current Governments	Possible Additional Governments
City of Barberton	City of Fairlawn
City of Norton	Bath Township
Copley Township	City of Akron
	Sharon Township (Medina County)
	Wadsworth Township (Medina County)
	Grander Township (Medina County)

The Wolf Creek Watershed includes three watersheds Wolf Creek, Pigeon Creek (Vires Ditch, Copley Ditch, Hands Lateral, Frank Lateral, Rousch Ditch, and Schocalog Run) & Hudson Run; and consists of 49,604 acres, 77.5 square miles in Summit and Medina County. There is an estimated 40,972 properties within this watershed and includes all or parts of 10 local cities and townships.

Other tributaries and water ways within the proposed Wolf Creek Watershed Conservancy District: Tuscarawas River, Wolf Creek, Pigeon Creek, Hudson Run, Mud Run, Barberton water Supply Reservoir, Lake Dorothy, Van Hyning Run, Gardner Ditch, Pancake Creek, Betz Ditch and several minor waterways.

Possible Assessment Amount: The assessment method and amount will be established by the appointed appraisers and approved by the court as part of the total plan submitted. Attached is a breakdown of various districts the assessment method, number assessed in each district, total

assessment and the average cost per parcel. Assessments are placed on property taxes and are collected bi-annually.

Support for Wolf Creek Watershed Conservancy District: All three communities have passed legislation support the formation of the Wolf Creek Watershed Conservancy District. The City of Barberton-Resolution 3-2014, the City of Norton-Resolution 8-2014, and Copley Township.

Time Line (next step): The total time period for establishing a conservancy district can be up to two years. Much of the studies and necessary work has been started and/or completed by the three communities involved as it relates to flooding episodes. Chapter 6101 of the Ohio Revised Code allows for and outlines the procedure for establishing a conservancy district.

1. Discussion with legislative bodies for the City of Barberton, City of Norton, & Copley Township. Set up public information meeting in each of the three communities (provide information, receive feedback, and gain support).
2. Petition filed with the Common Pleas Court-sets forth proposed name of the district, necessity of proposed work, description of the improvement, and the boundary for the district.
3. Notice of petition forwarded to ODNR & OEPA
4. Hearing on the petition
5. Decree on petition by the court
6. Common Pleas appoints 3 directors & 3 member board of appraisers
7. Directors meet to establish rules of the watershed
8. Appraisers meet to authorize Preliminary Assessment
9. Loan request to OWDA Board
10. Directors approve consultant to prepare official plan
11. Consultant submits draft plan to directors
12. Directors file copy of the plan with OEPA
13. Directors file copy of the plan with the Clerk of Courts & Notice of Publication
14. Hearings on objections to the plan
15. Board adopts official plan & copy is filed with Clerk of Courts
16. Objections to the plan is filed with the court
17. The court holds hearings on objections
18. Court adopts official plan

Other Facts:

-Conservancy Districts are permitted under Ohio Revised Code Section 6101.
-Conservancy districts have existed since 1914.
-Since 1914 there have been 57 districts and subdistricts created; 19 are still active, 5 have merged with another and 10 have dissolved.
-Conservancy districts allow for flood control and increased funding from local, state and Federal Governments/agency's.
-Money collected within a district can only be spent within that district.

Wolf Creek Watershed	Area		Parcels		
	Acres	Sq Miles	Summit	Medina	Total
Wolf Creek WS	25,045	39.1	8,660	4,070	12,730
Pigeon Creek WS	15,792	24.7	21,488	113	21,601
Hudson Run WS	8,802	13.8	5,053	2,060	7,113

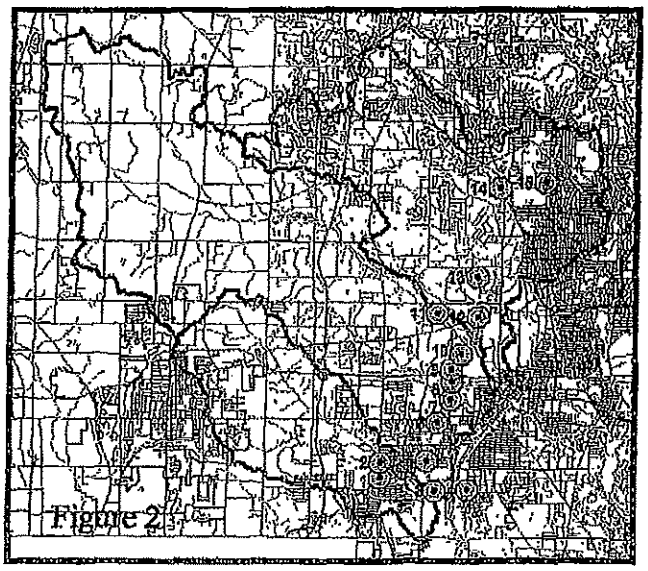
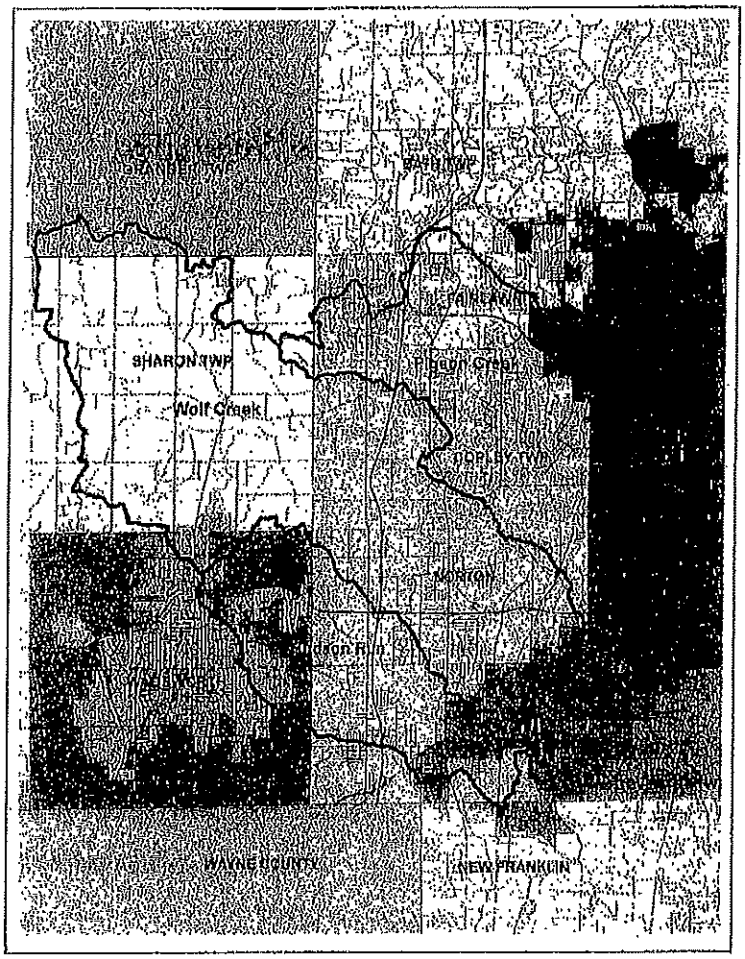


Figure 2


SHARON TWP
Wolf Creek
Pigeon Creek
DOPLEY TWP
NORTON
WAYNE COUNTY
NEW FRANKLIN

CONSERVANCY DISTRICT	LOCATION	ASSESSMENT METHOD	NUMBER PARCELS ASSESSED	TOTAL ANNUAL ASSESSMENT	AVERAGE PER PARCEL PER YEAR	AVERAGE PER MONTH	
Miami Conservancy District	Dayton Ohio	Market Value Depth of Flooding Level of Protection Flooding Factor	43,944	$2,851,000	$64.88	$5.41	
Maumee Conservancy District	Defiance Ohio	Tax Value	18,000	$450,000	$25.00	$2.08	
Muskingum Watershed Conservancy (MWCD)	New Philadephia Ohio	Parcel Area Land Use Code Estimated Percent Impervious	495,875	$11,145,000	$22.48	$1.87	
Chippewa Subdistrict of MWCD	Seville Ohio	Benefit = 2% of Appraised Value	36,547	$358,000	$9.80	$0.82	
Hocking Conservancy District (HCD)	Athens Ohio	Market Value Depth of Flooding	929	$330,000	$355.22	$29.60	*(1)
Margaret Creek Subdistrict of HCD	Athens Ohio	Impervious Area Parcel Area	5,702	$167,000	$29.29	$2.44	
TOTAL			600,997	$15,301,000	$25.46	$2.12	
Proposed Wolf Creek Wastershed District	Barberton, Norton, & Copley	To be determined	40,972	N/A	N/A	N/A	

Note *(1) Majority of assessment from Ohio University Campus

	FORMATION OF A CONSERVANCY SUBDISTRICT	
6101.71	Petition for Organizing Subdistrict	
	* Petition by owners of real property	
	* Governing Body of any political subdivision or watershed district	
	* Petition by Board of Directors of District	
6101.05	Form of Petition	
	* Name of the Subdistrict	
	* Necessity for the proposed work	
	* Conducive to public health, safety, convenience or welfare	
	* General description of territory included	
	* Filed with the Clerk of Court in same County as original District	
6101.06	Provide bond sufficient to pay all expenses connected with the proceedings	
6101.061	Notice of Petition sent to Directors of ODNR and OEPA	
6101.08	Hearing on Petition	
	* Court sets date for hearing no less than 60 days after petition filed	
	* Clerk gives notice of hearing by publication in each County	
	* Any owner or public corporation that did not sign the petition may file objection	
	* Court holds hearing on formation of Subdistrict and considers objections.	
6101.09	Decree of Court incorporating Subdistrict	
	* May be appealed within 20 days of Court entry	
	* Within 30 days after decree, Clerk of Courts must file with Secretary of State,	
	ODNR, and County Recorders of each County, a copy of the decree.	
6101.71	Board of Directors of District shall serve as Board of Subdistrict.	
6101.13	Plan for Improvements	
	* Board shall prepare an Official Plan within 2 years of the date of the Court order	
	establishing the Subdistrict.	
	* Upon completion of the Plan, Board must file a copy with OEPA who may	
	approve or reject any provisions related to the supply of water or disposal of	
	sewage.	
	* Upon approval by OEPA, Board gives notice of completion of Plan by	
	publication and file copies with the Clerk of Courts in each County.	
	* Notice fixes time and place for hearing on objections to Plan, not less than	
	20 or more than 30 days after publication.	
	* All objections to Plan must be in writing and filed with Secretary of Subdistrict	
	within 20 days of publication.	
	* Hearing on objections in each County where objections have been filed.	
	* After hearings on objections, Board adopts Official Plan.	
	* Within 10 days Secretary files certified copy of Plan with Clerk of Courts.	

	6101.13	Plan for Improvements
	Cont.	* Within 30 days after adoption by Board, anyone can file objection with Clerk
		* Clerk sets hearing date on objections no less than 20 or more than 30 days
		after time fixed for objections.
		* Court after hearing objections may refer Plan back to Board for amendment
		or adopt the Plan and certify by journal entry.
	6101.27	Board of Appraisers
		* Board of Appraisers (BofA) appointed by the Court
	6101.31	Appraisal Record
		* BofA shall prepare an Appraisal Record which includes appraised benefits,
		damages and property to be taken.
		* When Appraisal Record is complete and approved by a majority of the BofA
		it is filed with the Clerk of Courts in each County affected.
	6101.32	Notice of Filing
		* Directors shall send written notice to all property owners and public corporations
		having an interest in the Appraisal Record with a statement of benefits and
		property to be taken or damaged.
		* Secretary files affidavit with Clerk of Court that notices have been sent to
		property owners.
	6101.32	Notice of filing Appraisal Record
		* Clerk of Court files notice in each County
	6101.33	Exceptions to Appraisals
		* Within 30 days of publication, any property owner or public corporation may
		file an exception to the Appraisal Record
		* Exceptions heard by Court no less than 40 or more than 50 days after
		publication of Appraisal Record.
	6101.34	Court Order on Appraisals
		* Court may return the Appraisal Record to Board for amendment, or approve
	6101.35	Appeal
		* Any person or public corporation may appeal, within 20 days from the
		judgment entry, for a jury trial.
	6101.37	Certified copy of Decree
		* Upon approval of Appraisal Record by Court a certified copy of the decree
		will be filed with the Secretary of the Subdistrict.
	6101.48	Levy Assessments
		* Board may levy assessments on all properties and political subdivisions

CITY OF NORTON
MEMO

To: ALL COUNCIL MEMBERS

From: Valerie Wax Carr, Administrative Officer and
Ron Messner, Finance Director

Date: October 20, 2014

Re: Collections information

Life Force Billing & Collections

Life Force is the billing company for our EMS department:

Amount billed by Life Force ~~month~~ year to date – September 2014:	$ 430,446
Amount deposited from Life Force through September 2014:	$ 226,228
Amount adjusted for residents, Medicare/insurance write offs:	$ 215,026
Amount sent for collections through September 2014	$ 20,793
% billed vs. collections	4.8%

Life Force has discontinued using UCB Collection Company and sends all files that are deemed uncollectible after thorough follow through by Life Force to the Attorney Generals office for collection.

The collection through the AG's office presently does not cost the City anything as the AG's office adds the collection expense onto the bill owed by the debtor. This program has just begun so there is no real experience yet on how well the AG's collection efforts will be, but is assumed to have real benefit as they are able to capture tax refunds and lottery winnings.

Mayor's Court Collections

The Mayor's Court collects outstanding fees in two ways. The Clerk of Courts does make arrangements with debtors through pay arrangements. Currently there is $2,717.99 of debt being managed through payment plans.

Debts are also collected through a bench warrant process that is determined by the magistrate. If a person fails to pay or make pay arrangements, a bench warrant is issued. Currently, going back to year 2000, we have had $39,112 in outstanding debt. As persons commit other offenses, or go to renew their license, the debt is generally recovered. In fact, today someone paid $119 to clear his warrant.

/amc