



COMMITTEE WORK SESSION MAY 18, 2015

Committee Members Present: Scott Pelot
Dennis McGlone
Danny Grether-Excused at 9:00 PM
Dennis Pierson
Paul Tousley
Charlotte Whipkey
Rich Rodgers

Also Present: Mayor Mike Zita
Valerie Wax Carr
Ron Messner
Justin Markey
Karla Richards
Dave White-Arrived at 8:40 PM

The Committee Work Session convened on Monday, May 18, 2015 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:

School Resource Officer:

Mr. McGlone stated that since we originally started this discussion in the last two weeks we had a bomb threat in Stow, an incident with two (2) air soft guns at Springfield High School; and other incidents in Barberton and Akron. This is just around our community, and he felt we really need to do something here. Mr. McGlone stated that we really don't know why this is happening, perhaps the social media, regardless it's our duty to see that the safety of our children is our number one priority. Mr. McGlone stated that Mr. Messner has provided us with newer costs of 68% for the school's share and 32% for the City of Norton's share (see attached). Our share would be \$33,570.00 and is something we should think about and get something going for the start of the next school year. Mrs. Carr explained the differences of the 60/40 split costs of \$41,882.00.00 and for 260 days about \$7,500.00 less at the 32%. Mrs. Carr stated that Ms. Whipkey had contacted her regarding the exact number of hours served which is why we came up with the 68/32 split. Mrs. Carr note we did discuss this with Mr. Dunn so the school was not surprised by this change as it relates to the exact number of hours worked. Ms. Whipkey asked if we have any new information on the DARE grant? Chief Dalessandro stated the DARE grant is not posted up on the Attorney Generals website yet so we cannot apply.

Chief Dalessandro stated the grant from the Justice Department is available for \$100,000.00 four (4) year grant and he intends to apply for this. Ms. Whipkey asked if we share either of the grants with the school? Chief Dalessandro explained that school determined the total amount needed and the grant amounts were taken off from there. Chief Dalessandro stated if the Council and school want to sit down and negotiate how they want to split the money, that's up to you. Mrs. Carr stated that if we did not work with the school we would not be eligible for the grant, which is why we felt its best to share in the expenses as well as the grant. We need to start with the raw numbers and then we can work with grant funds received later on. Mr. Rodgers asked Mayor Zita or Mrs. Carr what was his impetus to get this going now, we do you want us to hire another full time police officer? Mrs. Carr stated the school came to us and a strong school makes strong communities and a safe school makes for a safer community. Mr. Rodgers stated his concern is we as a city already has a hard time to do what we need to do, as far as providing services they are already paying taxes for. Mr. Rodgers stated there are also extra costs for this full time position for benefits at \$28,000.00, and pension at \$12,000.00, union employee subject to the clothing allowance, etc. The school in interest of saving money would be better off hiring somebody away from our police department for that \$62,000.00 wage figure. The City and the school both would be money ahead here. Mr. Rodgers stated he is all for safety in the schools and has expressed that to Mr. Dunn and Chief Dalessandro. Mr. Rodgers discussed the pending litigation with on officer in the court and questioned what if that person ends up having to come back to the force and then what to do we do, lay someone off? Chief Dalessandro stated that any DARE officer certification could not enter the school unless he is an active on duty police officer. No one can carry any firearm in the school unless they are an on duty officer. Hiring anyone from the outside would have to be a qualified police officer and would have to come through his department and be in full uniform. Mr. Pierson asked if the school can make it a 1099 employee and Chief Dalessandro again explained that would be prohibited under the ORC. Mr. Rodgers asked what if the school hires a Safety Director or Safety Officer for this position. Chief Dalessandro reiterated that no one can carry a weapon into the school unless they are an on duty active police officer according to the Ohio Revised Code Section 2923.122. Ms. Whipkey stated that first and foremost that officer would be bound by any State and City codes as opposed to any school code and Chief Dalessandro concurred. Chief Dalessandro explained all of the many factors of being an SRO; becoming a mentor, drug counseling, educate the school officials on safety, etc. Mr. Pierson asked who this person reports to the school or the City, and Chief Dalessandro replied first and foremost to him and secondly to the Superintendent. Chief Dalessandro explained the school has their own administrative rules such as searching lockers; we do not have the powers to do this. Mr. Pierson referred to a past situation at the school and there was law suite which is now sealed, and that he does not want to see that happen again. Chief Dalessandro stated that Mr. Pierson was inferring that something was done wrong at the school, and this was not the case. Mr. Pierson stated what he was referring to was that there was a huge payoff and he does not want to put the City on the hook because ultimately we paid out for this. Mr. Pierson asked if we did get the grant, that's how long the DARE grant is for and Chief Dalessandro stated it's for four (4) years and the total would be \$100,000.00.

Mr. Pierson stated that what happens in when that grant expires and there are no more grants, we will have to figure how to pay for this. Mrs. Carr stated we have discussed this new 68/32 split with Mr. Dunn and he understands why we did it this way. Mr. Pierson expressed the concerns with the equalization in the officers and the potential of overtime. Mrs. Carr stated she would be happy to provide the equalization clause to Council. Chief Dalessandro stated the officer would be entitled to overtime on the shift not associated with the school. Chief Dalessandro stated the overtime for football games, board meetings, etc., and it is considered their B job and the school pays for this. Chief Dalessandro stated he would like to see an SRO actually working some of these B jobs and building rapport with the community. Mr. Tousley asked if the officers at the games and if they carry weapons and Chief replied yes they all do. Mr. Tousley asked if Chief felt he has room in his department to fill this position? Chief stated that if he did that he would generate a tremendous amount of over time in his department. Mr. Pelot stated now we have a DARE officer in the school and Chief Dalessandro said this is a 10 week program. Mr. Pelot stated this SRO would be in addition to and is not considered as over time, and would be used to complement the Norton Police Dept. Mr. Pelot stated the school is paying his salary while he is in the school, and Norton will pay for his time on the streets. Mr. Pelot stated in these troubling times, if we can have an officer in the school teaching the staff and students safety, how can we not do this? We need to make sure everyone in the schools is fully educated and know what to look out for. If we cannot afford \$33,000.00, this is all of our money it's all of the residents of this city that pay these taxes. That's a small price to pay for the safety of our children. Mr. McGlone reminded everyone it could be less if we get all of the grant monies. Mr. Rodgers asked is there any other way to provide security in the schools other than this ORC? Chief Dalessandro stated that they could hire an armed guard. Mr. Rodgers discussed a complaint from a resident on Givens expressing his frustration with the condition of his road. Mr. Rodgers stated that is his problem that he has with this, if we can take the \$11,000.00 then we can probably get this road done. Mr. Rodgers asked why can't a Summit County Sheriff do this? Chief replied he has a problem with other officers not familiar with the Norton community. Mr. Pierson discussed the open enrollment issue, and Chief Dalessandro replied he did not know those numbers. Mr. Pelot stated that Mr. Dunn had answered this at the last meeting saying it was not an issue. Mr. Pierson asked for those numbers and he did not have them. Mr. Rodgers discussed the Copley schools and they do not have an SRO in their schools. Chief Dalessandro stated that they also have a Diversion Specialist in their school and she is hired by the Copley Township. Mr. Rodgers asked about this person's salary and benefits and pension. Chief Dalessandro stated he is just looking for some direction here as the school came to him with this option. Mr. Rodgers stated he is looking out for his constituents, and that is his concern. Chief Dalessandro stated he felt it's been about two (2) years ago when Sandy Hook Elementary situation took place, as he was on the other side of the rail at that time. The true benefit by having an officer in the school, the bad guys are here with firearms and having someone in the school is a benefit. Mr. Grether stated he understands the objections to the price, but questioned how can you put a price on this? It's great if we can intervene and interact with these officers and the students and provide a safe environment. Mr. Grether noted seeing a police cruiser in the parking lot is a great deterrent. Mr. Grether stated he for one is in support of this.

Ms. Whipkey asked Mr. Messner if we received the \$100,000.00 for the Justice Department's grant, what that would cost us then, and Mr. Messner stated this would be \$2,107.00. Ms. Whipkey stated if we got the DARE grant how much would that be, and Chief Dalessandro replied generally it's about \$9,000.00 to \$10,000.00. Ms. Whipkey stated that although she is not a religious person, she does believe there is a God, she just does not attend church. Ms. Whipkey stated that she feels ever since we took the prayers out of our schools, this has been a deterioration in the behavior of our children. Ms. Whipkey stated that by placing an SRO in the school, this might initiate replacing some of the integrity with our children. Ms. Whipkey stated she still would like to see the price come down on our end and believed most of the parents would like to know there is someone in the school that is armed and can handle any situation. Ms. Whipkey stated she was not in on with the Summit County Sheriffs coming in and was not in favor of this idea. Mr. Rodgers stated that by no means did he mean to bring in the Summit County Sheriff's Department into the City of Norton. Chief Dalessandro stated with the beginning of this year his department has implemented a new program at the school where we currently have volunteers on our Police Department that go to the primary school on Fridays and reads books with them. Chief Dalessandro stated that we need to start at the ground level with the children and we need to invest in their futures. Mayor Zita discussed the spirit of collaboration and that this is a good benefit to the community. Mr. Rodgers stated that in the past when this was presented to him and Council and he turned it down by him and for former Administrator. Mayor Zita stated he has never turned this idea down and Mr. McGlone stated this idea was never presented for consideration. Mr. Rodgers stated he would bring something to Mondays meeting supporting his claim. Mr. Tousley asked if we do not get the grants will we have difficulty in the budget meeting this expense? Mr. Messner stated he does not see having to make cuts and possibly need to adjust the chief's budget, and reserved the time to sort this out. Mrs. Carr noted that besides these two (2) grants there are other ones out there and can be pursued. Mr. Pierson stated all of these grants are wonderful but he cannot fund his retirement pension with winning the lottery. Mr. Messner agreed that you have to budget for what you have in hand now and what is on the books. Mr. Pelot stated that if the worse case we could look at hiring less part time officers in the future and Chief Dalessandro agreed. Mr. Rodgers argued if you need the part timers because you have an officer in the school. Chief Dalessandro stated that first and foremost his schedule of officers will reflect the minimum requirements for the city's needs and if we have an emergency situation in our school they would have not have an issue with it. Ms. Carrie Beegle, 3920 Reimer Road, Norton, Ohio., thanked all of the officers for their service in the community. Ms. Beegle stated she has an SRO in the school that she works and it's a wonderful benefit and an asset to the school. Ms. Beegle stated that this SRO officer just took our school through the ALICE program and her school district received a grant for this so that we can be better prepared in case something were to happen in our schools. . Ms. Beegle stated she just looked up the ORC 2923.122 and that mostly deals with carrying a concealed weapon into the school rather than an officer. She did lookup Section 109.801 which deals with the re-qualifications of a commissioned officer. Ms. Beegle stated this section specifically states: "*A commissioned peace officer can be qualified to carry a weapon into the schools*". Ms. Beegle stated she also just received a confirmation from her SRO that this was correct,

Ms. Beegle discussed the need for an officer and she can see the benefit of them working throughout the summer. Their SRO actually works for Wadsworth during the summer. It is a positive with having them within the community. Ms. Beegle questioned the costs associated with the benefit package as she felt his seems high. She works in the school and is well aware of what those costs are, and questioned if this package is provided by the school or the city? Ms. Beegle suggested if the school paid for that benefit package, it might be a little less for the city's share. Ms. Beegle stated this is a highly emotional subject and quite honestly she would rather have bad roads any day if that means her kids won't get shot while in school. Ms. Beegle stated that this is a positive thing for the community, she does support this, we just need to work on the figures.

Mr. Robert Copen, 2518 Sue Lane, Norton, Ohio, stated he is entirely in favor of a police officer being present in every school. Mr. Copen stated that he a retired police officer and he has authorization to have a weapon in the school, under several laws; The Ohio Law Enforcement Officers Safety Act of 2010; S 1132. Section 926 (c) and (d) of Title 18, United States Code. Mr. Copen stated that yes we can hire this SRO and they will need to have the required training in addition to the DARE requirements. Mr. Copen stated the school should be the one to hire the SRO. Mr. Copen stated the school should hire this person as an on duty officer. Mr. Copen stated that as a supervisor in Police enforcement that is scheduling night mare. You have no way of keeping a finger on this person, and if he is a Norton police officer no matter where he is working he had better be responding to the City's needs. This world has all gone to hell in a hand basket and our officers are getting shot and it's not older people that are rioting, it's the younger kids. Mr. Copen reminded everyone that we have never turned down a school levy in this city and he questioned how many levies the city passed lately. If we seem to have extra money then why have we not been spending it?

Mr. Brian Berry, 2322 Inas Drive, Norton, Ohio stated that he understands we all need safety in the schools but why does the school come to the city asking for this when the school just have out raises? Mr. Berry stated this does not make sense to him, if their safety was so important as we all want police officers in our schools; they why did they go ahead and give out those raises? Mr. Rodgers stated you would have to ask the School Board for that answer.

Mr. Paul Reese, 4052 Wadsworth Road, we just passed a levy to build this multi million dollar school and he just read this has now come under budget, so he cannot understand why the school does not take this responsibility on. It seems to him like they are reaching for someone else to pick up the tab. This is a school issue, so they should pay for it.

Mr. John Ohara, 3900, Gulf Course Drive, Norton, Ohio, stated that the way you are throwing out discussion about grants as if they are going to be permanent, is unrealistic. Looking back to 911 there was a lot of funding being handed out then that was supposed to help out police forces and he questioned how many of those grants are still in place today? Mr. Ohara discussed taking away the potential of employment for a part-time officer. You don't want this person out there saying they he is the one to rob Peter just to pay Paul. Mr. Ohara stated that this should be put on the school.

Mrs. Pat Reese, 4052 Wadsworth Road, said she was unfamiliar with what is going in the High School as it seems more of a problem there. Mrs. Reese asked how many violent situations have happened at the High School. Mrs. Reese stated that she thought the schools should go into lock down when things happen. Mrs. Reese stated these schools need to have better locks and security. Mrs. Reese stated she sees an officer with a weapon a bigger problem waiting to happen. If there is a drug problem and a child entering the school that is high on something, shouldn't the school not allow them into the school and call their parents.

Mr. Marvin Conner, 2323 Frashure Drive, Norton, Ohio, spoke in favor of having an officer in the school as a past educator and felt this was never a detraction, it was always a positive.

Mary Dyke, 3736 Golf Course Drive, has no children and understands the problems we are facing. Ms. Dyke stated in growing up we are always taught to respect the principal and what cant we go to this person now for safety. It appears that we are trying to find a reason to get another officer on the city payroll, what will this officer do day in and day out? How many serious drug problems do we have in our schools that warrant this officer being there. We need to do more investigation and see if we can get the authority back to the school where it belongs.

Mr. McGlone moved to have legislation prepared for a SRO for the next Council meeting, for a first reading, seconded by Mr. Pelot. Mr. McGlone stated we are running out of time and we need to give the school our decision. Mr. Tousley stated that a lot has been discussed here and maybe we got off track on whether the officer is needed or not and who is responsible to furnish the officer. Mr. Rodgers asked again about the Ohio revised Codes that were blurted out there and he wants to see all of this before he votes to move on this. Mr. McGlone stated we are only moving to place this for a first reading next week and we will have many weeks to look this over. Chief Dalessandro stated he again had an opinion from the Ohio Attorney General and they forwarded information to him which concurred with his statements earlier. Mr. Rodgers asked if they provided him with an opinion? Chief Dalessandro explained they felt strongly that only an armed duty active police officer should be entering the school building with a fire arm. Mr. Rodgers asked Mr. Markey for this opinion by next week. Mr. Markey asked for clarification on what Mr. Rodgers is asking for. Mr. Rodgers stated that if the school and the city could save additional cost of a Norton police officer by hiring someone like Mr. Copen suggested. Mr. Rodgers stated the employee can sign a waiver to not get health care benefits and Chief Dalessandro stated that not from what he was told at a recent meeting if we have them work over 29 hours a week that person has to be provided a benefit package. Mr. Pierson stated what if this was a 1099 employee the cost would be less and that is what he believed Mr. Rodgers was asking. Ms. Whipkey asked if the school did decide to go with a private person, they would not be held to a higher standard as with a Norton Police officer. Chief Dalessandro asked are we going to set some parameters here for the school or are we just going to let them hire anyone?

Mr. Pierson stated this needs formulated more, we need to look deeper at the funding issues; we are jumping the gun here. The school board needs to provide more information to the City. Mrs. Carr stated that in the past meetings there was a full job description and that Mr. Rodgers was provided, and she would see that all of Council receive this. Mr. Grether asked for definition of a Commissioned officer and Chief Dalessandro stated that it is an officer that is sworn into office to serve. Mr. Pierson asked about qualifications if they need to be certified as a teacher and Chief stated no, there needs to be a certified teacher in the classrooms.

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

Motion passed 5-2.

Oriana House Agreement:

Mr. Rodgers stated that this is boiler plate and there is a schedule of costs and is necessary. Mr. Rodgers asked if there is an increase in the costs for this year? Mrs. Richards replied, yes there are numerous small increases. Mrs. Richards noted that this is the first time in several years there has been an increase. Mr. Rodgers moved to add to next Council meeting on Tuesday, 26th due to the holiday, Pelot seconded. Mr. Tousley asked the Administration what the costs were for last year and how many clients are involved and Mrs. Carr stated she would get this for Council by next week. Mr. Pelot stated in the past he recalled this was used very rarely. Ms. Whipkey noted this legislation is not like we have a choice in the matter, its something that is required.

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

Motion passed 7-0.

Mr. Grether stated he had asked Mr. Grether to be excused at 9 M due to his early work schedule in the morning.

Nash Heights Sewer-Timeline Discussion:

Mr. Pierson stated that due to the talk from last week, we had talked about removing the resolutions already in place to limit this to the scope of the mandate. Mr. Rodgers stated we talked about limiting this to the scope of the EPA order and we also discussed the adjoining areas. Mr. Rodgers wanted to also include moving the pump station from Shellhart to Greenwich and in order and to do that we have to change the plans. Ms. Whipkey asked if we are still going with both options for gravity or vacuum and Mr. Rodgers stated that would be the same. Mrs. Carr discussed the email Mr. Rodgers was talking about with Mr. Demboski and Mr. Docherty with Air Vac (see attached). Mrs. Carr stated we could have the discussions on the pump stations presented to Council. Mr. Rodgers stated he wants to get these resolutions rescinded and back on track for next week. Mrs. Carr expressed concerns to change getting the new plans in place and was concerned with rescinding the original legislation before you have the others in.

Mr. Pierson stated he wants resolutions rescinding in place for Tuesday night with emergency and adopt. There was discussion to the redrawing of the plans and the proper procedures. Mr. Markey stated that you cannot rescind the original Resolutions of Necessity until you have the amended plans on file and adopt the new Resolution of Necessity first. After several motions being made and several corrections to address this; Mr. Rodger's final motion was made to direct Admin to instruct Mr. Demboski to modify the plans to the original orders and move pump station to Shellhart and Greenwich, with an alternate of Little Blvd., and removal of the pump station St. Rt., 21 and St. Rt. 261, with only one (1) pump station, seconded by Mr. Pierson. Mr. McGlone stated that you had voted for this and now you want it changed and questioned why? Mr. McGlone stated the statement you made and it was in the paper that we all made this mistake, and he took issue with this Mr. Rodgers stated last week he had made a mistake and he was approached by several residents that are affected by this and he is changing his mind.. Mayor Zita stated that when Little Blvd. was added to the project, it was done by Mr. Rodgers to get back at him. Mayor Zita stated that after you found out that he was in the project area, now the rest of Little Blvd. is not important to being in the project. Mr. Rodgers stated that was not correct and he would bring an email proving this to next weeks meeting. Mayor Zita stated that Little Blvd was added behind closed door meetings with Mr. Rodgers and Mr. Demboski and this was presented in the legislation and all of Council voted on that. Mr. Rodgers explained that he did not care whether Little Blvd. was in this or not and he had told Mr. Demboski that. Mr. Pelot stated that last week we had discussed sending letters to the abutting property owners and asked where we are with this. Mrs. Carr stated she has prepared the draft letter and the listing of the roads involved, (see attached). Mrs. Carr stated the properties would be any that were intended in the original area and plans, but Council can decide the defining roads. If you want to exclude certain roads or add, this is Councils choice. Mr. Rodgers stated we agreed with the language of the letter, but explained the boundaries involved. Mr. Rodgers asked if this letter would be in petition form and Mrs. Carr replied yes and these would be sent by certified mail. There will be a form that the resident selects yes or no if they wish to be included in the Nash Heights project, and it would be by certified mail. Mr. Pierson stated send it certified and then gave a meeting with them and explain them the entire costs. Mrs. Carr stated she does not object to having a meeting, however the language is very clear on the specifics. Mrs. Carr stated she has been working with Mr. White and the Summit County GIS mapping office that outlines the complete consent order and the map with the listing for every single parcel. Mr. Rodgers asked how long she expects this to take and Mrs. Carr stated we could decide on a time frame, possibly within the next week or two. Mrs. Carr suggested Council could do another resolution to address the fringe areas. Mr. Markey stated that he felt that would be a little tricky to do that. Other than Little Blvd., the project scope will be the same and the fringe areas will be that-just the fringe areas. Ms. Whipkey stated she is not moving anywhere unless these residents on the fringe would have opportunity to decide of they want in or not. She does not want to cut them off now if they want in later on. Ms. Whipkey asked if we have had Resolutions of Necessity in place for the last three (3) years? Mr. Markey stated we had Resolutions of Necessity in 2013 for the original project that did not include Little Blvd. Mr. Reese, 4052 Wadsworth Road, Norton, Ohio, stated he felt the letter should state they have the option to fix or replacer and spell out all of their options.

Mrs. Carr stated she felt we are providing that to the residents. Ms. Carr stated she did not expect an answer from Council, and thanked Mr. Markey and Mr. White for their assistance with this form letter. Mr. Rodgers stated he still would like to have Mr. Markey to prepare the Resolution to rescind for all of us to look at soon, as well as the plan to move the pump station to Shellhart and Greenwich. Ms. Whipkey stated she is all in favor of sending the certified letters and she would like something added that if they decide they don't want in now they cannot sue the city later on. Mrs. Carr stated since this started going all over the place she has taken the stand not to discuss this matter with any resident because she did not want to be accused of influencing anyone on this matter. Mayor Zita stated Mr. Rodgers asked us to ask the Church and we did that and their Board of Directors had taken a vote. Mr. Rodgers expressed concerns with the facts and if the residents on Greenwich Road did not want this, then are we doing this? Mr. Clint Petroff, 3772 Greenwich Road, Norton, Ohio stated he is across the street from the golf course and he does not want this and neither does his neighbors or the Seiberling farm, it's just the church that wants it. Mr. Tousley agreed with Ms. Whipkey about the residents on Little and if they don't want it then they need to say so. Mr. Tousley stated in quickly reading the letter, maybe we should provide the legal reason why they need to respond. Mr. Pelot added to include some of the suggestion from Mr. Reese about if they have the land to correct and fix their system, and Mrs. Carr stated she could include the reference material so they resident does not have to look it up. Mr. Rodgers asked if the resident does not respond to the letter, then what happens? Mr. Markey stated that they would be excluded. Mrs. Carr stated that its Council that would determine if this is a petition process. Mr. Markey stated the ultimate question for Little Blvd., is if you want them to be part of the proceedings at the current project costs. Ms. Carr suggested that Council provide her with all of their comments or suggestions to the letter by this Friday. Mr. Tousley suggested adding a statement if you fail to respond that is being considered you do not want in or as an opt out. Mr. Pelot suggested a specific date to respond. Mr. Rodgers suggested maybe by the second week of June. Mr. Rodgers stated that the re-drawing of the plans should not take that long and Mrs. Carr stated there are still a few lingering questions with Mr. Demboski to work out. Mrs. Carr discussed the final restoration and that she was not totally clear on Council's desire. The papers had reported that Council wanted to hold off on final restoration and that we have a no interest loan now to address this. Mrs. Carr stated she needs to know this as it is part of the design plans that the EPA needs to have for the time line. Mr. Rodgers asked if the restoration would be in compliance with what is being done for the road survey? If they say it needs this, this and this, and we are only looking to do it one way. Mrs. Carr stated that for the basic paving we should at least go with this for now. Ms. Whipkey asked are we locating this pump station at the top of the hill or down on the road. Mr. White clarified this is basically at the corner of Shellhart and Greenwich Road, and Mrs. Carr suggested having both Mr. Demboski and Mr. Docherty prepare a one (1) page memo on their recommendations, and Ms. Whipkey suggested having pictures. Mr. Pelot asked what are we removing from the original plans since there have been so many changes? Mr. Rodgers stated we are removing Greenwich Road west of Shellhart and he thought we would be removing Little Blvd., but that is back in play now. Mrs. Carr stated it's also to remove the pump station at St. Rt. 21 and Cleveland Massillon Road.

Mr. Tousley clarified that the Ward 4 residents along Greenwich will have this letter as an option and Mrs. Carr replied yes. There was discussion of how the City could assist the residents down the road that would chose to opt out now, like an assessment or something. Mr. Markey stated that would be one of several decisions from Council at that time. Mr. Rodgers stated that if the lines are there why would we gouge them and charge them more than the Nash Heights residents. Ms. Whipkey stated if we are doing that for them then why cannot we just do the line everywhere and they can connect when they need it? Mr. Jack Gainer stated several years ago when the sewer line went in along Greenwich there were laterals put in place for future connections. Mr. Gainer suggested doing that again now to be cost effective for every home. If they decide next year when their septic may go bad it would not be an exorbitant cost for them to connect because the lateral is already there.

Mr. Brian Wise, 3863 Greenwich Road, Norton, Ohio, stated he is not in the affected area. About 25 years ago he lived in Columbia Heights and laterals were done there. If you connected to them at that time it was \$10,000.00 and if you waited it would be as much as \$25,000.00 to run just ten (10) feet of pipe. Mr. Wise stated that this was a big thing back then and his family was here addressing their concerns to Council at that time. Mr. Wise stated he can tell you now that people will not be able to afford it now or later. Mrs. Carr clarified that we will not put the laterals in unless there are enough residents and Ms. Whipkey stated that we are talking gravity laterals and Mrs. Carr stated if it were vacuum then we are talking pits. Mr. Rodgers stated if you do go with pits its cheaper to install. Mr. Gainer stated there would not be a pit if there is no need for it. Mr. Gainer stated that gravity would be a lot deeper in the future, and suggested doing the laterals now so that if we go with vacuum at a later time, it still should have a stub for connections. It would not make any sense to go straight on by with a new line and have no access for connections. Mrs. Carr stated the laterals are paid for by the City.

Ms. Whipkey suggested that we have Mr. Demboski and Mr. Docherty both present for that discussion. Mr. Rodgers asked for them to get the details worked out with each other and then present to Council later on. Ms. Whipkey asked to have those maintenance costs numbers explained at this same time.

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

Motion passed 6-0. (Mr. Grether had been excused earlier)

CRA Definition Review:

Mr. Rodgers held this off until next work session.

Unfinished Business:

Ms. Whipkey reminded everyone on Council that the Hydro discussion is at 1PM on Wednesday in Copley Township. Ms. Whipkey asked if this open to the public and Mrs. Carr replied now.

Mrs. Carr stated this is an update meeting and that we are trying to get funding through the Army Corp. of Engineers. There have been gauges set up along Wolf Creek to collect data about the flooding near the Little farm.

Mr. Rodgers asked what the green City truck is out here in the parking lot lately, is it broken down? Mrs. Carr replied no, this is an access vehicle for Mr. Braman. Mrs. Carr stated she has been very impressed with Mr. Braman's ability in getting out to the properties in question and with his progress so far. Ms. Whipkey asked if there were any updates to the cider mill property and Mrs. Carr declined to discuss this publicly.

Ms. Whipkey stated there was an anonymous email received at City Hall and asked how that can happen and if anyone knew about this. Mr. Rodgers asked if this came through with an address? Ms. Whipkey asked if Mr. Rodgers received this and he replied he got that in his mailbox this evening. Ms. Whipkey stated the content was about this meeting tonight relating to Nash Heights discussion.

Topics for the next Work Session:

None were discussed at this point.

Public Comment-Agenda and Non Agenda Items:

Mr. Ron Thorn 3565 Clubview Drive, Norton, Ohio, stated that he felt everything was addressed relating to the reduction and location of the pump stations. Mr. Thorn stated the City should not be dependent of Barberton or Summit County for our sewer treatment. Mr. Thorn stated that several years ago we addressed that in Norton Acres and that worked just fine. Mr. Thorn stated he felt the previous Administration wanted to see more business in this area and we don't want or need it in this area. Mr. Thorn thanked Council for working on this issue.

Mr. Brian Berry, 2322 Inas Drive, Norton, Ohio stated that in listening to the discussions held this evening, it amazes him that anyone wants to live here. With all of the endless minutia that goes on here it's amazing how anything gets done. He has lived here for twenty-two (22) years and has never had to go to such extent to get his streets done. If we can't get our streets done, then why are we even a City? All we want to do is get our storm sewers on Inas drive done. We have no grants and he asked why we are not looking at other options? Mrs. Carr stated the only available grant was a mitigation grant and we did not get that and this happens a lot for communities. Mr. Rodgers asked if the Fund #128 Fund could be used for this? Mrs. Carr stated she is aware of this and she is looking at all options. Mr. Berry stated he works at Kent State and one of the professors indicated there are many other grants available out there and he would provide the City a copy of this listing.

Mr. John Lombardi, 3660 Golf Course Drive, Norton, Ohio, stated that you have answered his concern tonight about the location of the pump station. Mr. Lombardi cautioned Council to be aware of something called dewatering and that this is a very wet area. This will need to be looked at carefully and you absolutely must put in laterals regardless of what type of system you decide upon.

Public Updates:

Ms. Whipkey reminded everyone of the DAC this Thursday at 5:30 PM at the MAD offices at 131 Snyder Avenue, Barberton, Ohio.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:37 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.

2923.122 Illegal conveyance or possession of deadly weapon or dangerous ordnance or of object indistinguishable from firearm in school safety zone.

- (A) No person shall knowingly convey, or attempt to convey, a deadly weapon or dangerous ordnance into a school safety zone.
- (B) No person shall knowingly possess a deadly weapon or dangerous ordnance in a school safety zone.
- (C) No person shall knowingly possess an object in a school safety zone if both of the following apply:
- (1) The object is indistinguishable from a firearm, whether or not the object is capable of being fired.
 - (2) The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.
- (D)
- (1) This section does not apply to any of the following:
 - (a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, who is authorized to carry deadly weapons or dangerous ordnance and is acting within the scope of the officer's, agent's, or employee's duties, a security officer employed by a board of education or governing body of a school during the time that the security officer is on duty pursuant to that contract of employment, or any other person who has written authorization from the board of education or governing body of a school to convey deadly weapons or dangerous ordnance into a school safety zone or to possess a deadly weapon or dangerous ordnance in a school safety zone and who conveys or possesses the deadly weapon or dangerous ordnance in accordance with that authorization;
 - (b) Any person who is employed in this state, who is authorized to carry deadly weapons or dangerous ordnance, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (D)(1)(b) of this section does not apply to the person.
 - (2) Division (C) of this section does not apply to premises upon which home schooling is conducted. Division (C) of this section also does not apply to a school administrator, teacher, or employee who possesses an object that is indistinguishable from a firearm for legitimate school purposes during the course of employment, a student who uses an object that is indistinguishable from a firearm under the direction of a school administrator, teacher, or employee, or any other person who with the express prior approval of a school administrator possesses an object that is indistinguishable from a firearm for a legitimate purpose, including the use of the object in a ceremonial activity, a play, reenactment, or other dramatic presentation, or a ROTC activity or another similar use of the object.
 - (3) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if, at the time of that conveyance, attempted conveyance, or possession of the handgun, all of the following apply:
 - (a) The person does not enter into a school building or onto school premises and is not at a school activity.
 - (b) The person is carrying a valid concealed handgun license.

(c) The person is in the school safety zone in accordance with 18 U.S.C. 922(q)(2)(B).

(d) The person is not knowingly in a place described in division (B)(1) or (B)(3) to (10) of section 2923.126 of the Revised Code.

(4) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if at the time of that conveyance, attempted conveyance, or possession of the handgun all of the following apply:

(a) The person is carrying a valid concealed handgun license.

(b) The person is the driver or passenger in a motor vehicle and is in the school safety zone while immediately in the process of picking up or dropping off a child.

(c) The person is not in violation of section 2923.16 of the Revised Code.

(E)

(1) Whoever violates division (A) or (B) of this section is guilty of illegal conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone. Except as otherwise provided in this division, illegal conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone is a felony of the fifth degree. If the offender previously has been convicted of a violation of this section, illegal conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone is a felony of the fourth degree.

(2) Whoever violates division (C) of this section is guilty of illegal possession of an object indistinguishable from a firearm in a school safety zone. Except as otherwise provided in this division, illegal possession of an object indistinguishable from a firearm in a school safety zone is a misdemeanor of the first degree. If the offender previously has been convicted of a violation of this section, illegal possession of an object indistinguishable from a firearm in a school safety zone is a felony of the fifth degree.

(F)

(1) In addition to any other penalty imposed upon a person who is convicted of or pleads guilty to a violation of this section and subject to division (F)(2) of this section, if the offender has not attained nineteen years of age, regardless of whether the offender is attending or is enrolled in a school operated by a board of education or for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code, the court shall impose upon the offender a class four suspension of the offender's probationary driver's license, restricted license, driver's license, commercial driver's license, temporary instruction permit, or probationary commercial driver's license that then is in effect from the range specified in division (A)(4) of section 4510.02 of the Revised Code and shall deny the offender the issuance of any permit or license of that type during the period of the suspension.

If the offender is not a resident of this state, the court shall impose a class four suspension of the nonresident operating privilege of the offender from the range specified in division (A)(4) of section 4510.02 of the Revised Code.

(2) If the offender shows good cause why the court should not suspend one of the types of licenses, permits, or privileges specified in division (F)(1) of this section or deny the issuance of one of the temporary instruction permits specified in that division, the court in its discretion may choose not to impose the suspension, revocation, or denial required in that division.

(G) As used In this section, "object that is indistinguishable from a firearm" means an object made, constructed, or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm.

Amended by 129th General Assembly File No.190, HB 495, §1, eff. 3/27/2013.

Amended by 129th General Assembly File No.131, SB 337, §1, eff. 9/28/2012.

Effective Date: 04-08-2004; 03-14-2007; 2008 SB184 09-09-2008

109.801 Annual firearms requalification program.

(A)

(1) Each year, any of the following persons who are authorized to carry firearms in the course of their official duties shall complete successfully a firearms requalification program approved by the executive director of the Ohio peace officer training commission in accordance with rules adopted by the attorney general pursuant to section 109.743 of the Revised Code: any peace officer, sheriff, chief of police of an organized police department of a municipal corporation or township, chief of police of a township police district or joint police district police force, superintendent of the state highway patrol, state highway patrol trooper, or chief of police of a university or college police department; any parole or probation officer who carries a firearm in the course of official duties; the house of representatives sergeant at arms if the house of representatives sergeant at arms has arrest authority pursuant to division (E)(1) of section 101.311 of the Revised Code; any assistant house of representatives sergeant at arms; the senate sergeant at arms; any assistant senate sergeant at arms; or any employee of the department of youth services who is designated pursuant to division (A)(2) of section 5139.53 of the Revised Code as being authorized to carry a firearm while on duty as described in that division.

(2) No person listed in division (A)(1) of this section shall carry a firearm during the course of official duties if the person does not comply with division (A)(1) of this section.

(B) The hours that a sheriff spends attending a firearms requalification program required by division (A) of this section are in addition to the sixteen hours of continuing education that are required by division (E) of section 311.01 of the Revised Code.

(C) As used in this section, "firearm" has the same meaning as in section 2923.11 of the Revised Code.

Amended by 129th General Assembly File No. 127, HB 487, §101.01, eff. 9/10/2012.

Amended by 129th General Assembly File No. 28, HB 153, §101.01, eff. 9/29/2011.

Effective Date: 03-19-2003; 09-16-2004; 03-14-2007

Dear _____,

As you may know, the City of Norton is currently under an Ohio Environmental Protection Agency (EPA) Consent Order to provide sanitary sewer in within a specific boundary that EPA calls the Nash Heights area. Once the sanitary sewers are available, those within the consent order boundary will have no choice but to tie into the sanitary sewers.

Please be aware that City Council previously passed a resolution to include your property as part of the project area because it is close enough to the consent order boundary to be served by the same sewer system. However, City Council has now determined to limit the project area to only the consent order area. While, your property is not in the consent order area, your property is close enough to the required sanitary sewers that under State law, Summit County Public Health might order you to connect to the new sanitary sewer line if and when it determines that your septic system is no longer adequate."

Because Summit County Public Health could require you to connect to the sewer project in the future, the City of Norton is requesting that you indicate in writing (use the form below) whether or not you would like to be included in the Nash Heights sanitary sewer project.

If you choose to be part of the project you will be obligated to pay an assessment fee, a tap-in fee, and a tie-in fee. Currently those fees are as follows:

Assessment fee: \$5000-\$8000 (estimate approved by Norton City Council). An assessment goes on your county taxes and is generally paid over a 20 year period at a low interest rate. However, note that anyone in the project has a choice to pay the full assessment amount in cash instead of placing it on county taxes.

Tap-in fee: \$5500. However, this may be lowered to \$3000 in the near future upon final sanitary sewer agreement with the City of Barberton. This fee is paid at the time of connection.

Tie-in fee: \$5000+ This cost varies from property to property. It is paid directly to the contractor each property owner will hire to abandon the current septic system and to connect a line from the house to the public sewer line.

If you choose not to be part of the project, if and when you would later connect to the sanitary sewer, you will still be required to pay the tap-in fee and a tie-in feet at the time you connect to the sanitary sewer. In addition, you will be required to pay an out-of-pocket lump sum equal to the assessment fee (again, \$5,000-8,000) at the time you connect to the sanitary sewer. There is no ability to place the assessment fee on your county taxes if you choose not to participate in the project at this time.

I, _____ (property owner name), **DO** want to be included in the Nash Heights sanitary sewer costs. I understand by signing this form I am obligated to the potential cost as listed above.

I, _____ (property owner name), **DO NOT** want to be included in the Nash Heights sanitary sewer costs. I understand by signing this form I am NOT obligated to the potential cost as listed above. I further understand that if I DO NOT participate in the Nash Heights sanitary sewer project at this time that the above listed potential costs can not be guaranteed for future connection to the sanitary sewer.

If you have any questions or concerns please do not hesitate to call my office at 330-825-7815 ext #316.

Sincerely,

Valerie Wax Carr
Administrative Officer
City of Norton

DRAFT

Zimbra

karlar@cityofnorton.org

Fwd: Type of Compact Station

From : Charlotte Whipkey
<charlottewhipkey@cityofnorton.org>

Mon, May 18, 2015 08:20 AM

📎 3 attachments

Subject : Fwd: Type of Compact Station

To : Karla Richards <karlar@cityofnorton.org>

Hey Karla,

I see Rick forgot to copy you on this...so here you are for the files.

Charlotte

From: "Rick Rodgers" <rickrodgers@cityofnorton.org>
To: "Charlotte Whipkey" <charlottewhipkey@cityofnorton.org>, "Dennis Pierson" <dennispierson@cityofnorton.org>, "Danny Grether" <dannygrether@cityofnorton.org>, "Dennis McGlone" <dennismcglone@cityofnorton.org>, "Scott Pelot" <scottpelot@cityofnorton.org>, "Paul Tousley" <paultousley@cityofnorton.org>
Sent: Sunday, May 17, 2015 9:09:40 PM
Subject: Fwd: Type of Compact Station

To All,

Regarding the soil boring at Shellhart I was copied on this e-mail from Jim Demboski. I will urge the administration to have this meeting at a COTW during a regular council meeting or at a work session.

Rick

From: "Rick Rodgers" <rhi@neo.rr.com>
To: Rickrodgers@cityofnorton.org
Sent: Sunday, May 17, 2015 7:18:32 PM
Subject: FW: Type of Compact Station

From: Jim Demboski [mailto:JDemboski@envdesigngroup.com]
Sent: Thursday, May 7, 2015 10:50 PM
To: Docherty, Jim (Bilfinger Water Technologies)
Cc: Rick Rodgers

Zimbra

karlar@cityofnorton.org

Fwd: Type of Compact Station

From : Charlotte Whipkey
<charlottewhipkey@cityofnorton.org>

Mon, May 18, 2015 08:20 AM

📎 3 attachments

Subject : Fwd: Type of Compact Station

To : Karla Richards <karlar@cityofnorton.org>

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Sent: Sunday, May 17, 2015 7:18:32 PM
Subject: FW: Type of Compact Station

From: Jim Demboski [mailto:JDemboski@envdesigngroup.com]
Sent: Thursday, May 7, 2015 10:50 PM
To: Docherty, Jim (Bilfinger Water Technologies)
Cc: Rick Rodgers

Subject: Re: Type of Compact Station

Okay.

Sent from my iPad

On May 7, 2015, at 7:40 AM, Docherty, Jim (Bilfinger Water Technologies) <jim.docherty@bilfinger.com> wrote:

That is my point

You don't need to pump water or a water tight vault with a buried tank....

From: Jim Demboski [<mailto:JDemboski@envdesigngroup.com>]
Sent: Wednesday, May 06, 2015 5:52 PM
To: Docherty, Jim (Bilfinger Water Technologies)
Cc: Rick Rodgers
Subject: RE: Type of Compact Station

Jim – if we place the vacuum station up on the top of the hill, the ground water is not too bad. The soil boring engineer thought that there was a perched water table during the boring because it had rained a few days before. I am waiting on Norton to schedule a meeting to discuss the type of vacuum station they want and suggested that both you and I attend so that you can present your two versions and I will show them a third option. The vault should be water tight, but a sump will be installed for any leakage or condensation. Thanks. Jim D.

James M. Demboski, P.E.
Senior Group Leader
<image003.png>

450 Grant St.
Akron, Ohio 44311
Phone: 330.375.1390
Cell: 330.815.2436

jdemboski@envdesigngroup.com
www.envdesigngroup.com

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