



**NORTON CITY COUNCIL
SPECIAL COUNCIL MEETING
MONDAY, OCTOBER 19, 2015**

Roll Call: Scott Pelot
Dennis McGlone
Dennis Pierson
Paul Tousley
Charlotte Whipkey
Rick Rodgers

Also Present:
Mayor Mike Zita
Ron Messner
Justin Markey
Karla Richards

The Special Council Meeting convened on Monday, October 19, 2015 at 9:04 PM in the Council Chambers of the Safety Administration Building. The meeting was called to order by Rick Rodgers President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

INTRODUCTION OF NEW LEGISLATION:

RES #69-2015

Mr. McGlone offered Res. #69-2015 for its first reading and asked the Clerk to read it:

A RESOLUTION DECLARING IT NECESSARY TO SUBMIT THE QUESTION OF THE RENEWAL OF AN ADDITIONAL TAX LEVY IN EXCESS OF THE TEN-MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS AND SITES THEREFORE, SOURCES OF WATER SUPPLY AND MATERIALS THEREFORE, THE PAYMENT OF PERMANENT, PART-TIME OR VOLUNTEER FIREFIGHTING, EMERGENCY MEDICAL SERVICE, ADMINISTRATIVE AND COMMUNICATIONS PERSONNEL TO OPERATE THE SAME, INCLUDING THE PAYMENT OF ANY EMPLOYER CONTRIBUTIONS REQUIRED FOR SUCH PERSONNEL UNDER SECTION 145.48 OR 742.34 OF THE REVISED CODE, AND THE PROVISION OF AMBULANCE, PARAMEDIC AND OTHER EMERGENCY MEDICAL SERVICES OPERATED BY THE FIRE DEPARTMENT PURSUANT TO SECTION 5705.19(I) OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

First reading only.

INTRODUCTIONS OF PRIOR LEGISLATION:

Mr. Rodgers moved to remove Res. #59-2015 thru #62-2015 from the Special Council agenda, seconded by Mr. Pierson to the next council meeting. Mr. Pelot asked is there a reason not to at least address Res. #59-2015 and Res. #60-2015 now and Mr. Rodgers stated we should postpone all of these until the next meeting.

Mr. Rodgers stated that from the discussions earlier tonight and based on the information we still need to receive, it would be prudent to put this off until then. Ms. Whipkey stated we had more discussion on some topics tonight for quite some time than we have had concerning the sewers for quite some time and that many meetings it was on the agenda we did nothing and it was just put off. Ms. Whipkey expressed her concerns that if this does get pushed off to next week she wants to see more discussion and hopes to have received the information from Mr. Markey by the so we can continue on with this discussion starting next week. Ms. Whipkey discussed the information she read in the emails supplied earlier this evening by Mr. Rodgers; and stated that it seems to her that Bilfinger Corp. is more concerned with loosing more customers from Ohio. Ms. Whipkey stated she would also like to have more information on what is required from us to try and submit a case for the thirty (30) year financing and Mr. Markey stated we could make that request. Mr. Pelot suggested we maybe should re-adjust the projected time line; we have got to start adhering to what is we are supposed to be doing. Mrs. Carr clarified this Administration never said we are against the 30 years financing for vacuum, and we would be happy to do what we can, but all of the answers we had received said it cannot be done. Mrs. Carr stated that in this process she had provide Council with all of her correspondence and she has been totally transparent with it. Mr. Rodgers stated he appreciates that he may have used the term of “extra mile” and was not a criticism of Mrs. Carr. However, we need to reach and reach and reach as much as we can to save our citizens and our city as much we can. Mrs. Carr stated she did not disagree and in reading what Mr. Rodgers has supplied from his emails, this is just an interpretation; we need to get a solid written answer from the EPA. Mr. Rodgers stated that Mr. Bernstein agreed with that point in conversation. Mrs. Carr indicated that Mr. Bernstein had emailed to her on October 5, 2015 said that we were not eligible for this, which is a difference of opinion. Mr. Rodgers stated that when he talked to him last week that was after he had talked with to the person who wrote the WERF report and that after this was written Mr. Bernstein’s opinion changed. As Mr. Bernstein said he took a view of about thirty-thousand (30,000) feet because he did not have all of the information from the City of Norton. Mrs. Carr stated that is not true and she has all of the documentation to prove it. We have filed a Facilities Report and Mr. Markey has provided a mini-update and we have been in communications with them on the status of our project. Mr. Markey stated Mr. Bernstein is not the engineer that was involved in the EPA project; it was Mr. Halterman on the finance side and Mr. Laake on the engineering side. Mr. Lake has been dealing with the City of Norton in this issue. What we agreed to with the EPA back in 2011 for the initial go around and discussion of the Nash Heights and a mini update was approved. Another mini update was done again this past March when we were in the negotiations with Barberton. We have not given this mini update information to the EPA until we decided where we are going with Barberton. All they are waiting on is this information which Mr. Demboski has prepared, which we intend to do, it’s just that Mr. Bernstein was not aware of that. Mrs. Carr stated at the last meeting it was portrayed that the City had or has not been doing something that is required which is not the case and felt this needed to be clarified and she would have the EPA verify that the City has provided everything they need. Mr. Rodgers argued that what Mr. Markey just said is that we have provided them with a mini updated and what they really want is a maxi update.

We need to give them what ever they need to make a determination on the thirty (30) year loan. Mr. Markey stated he was not sure that we need to supply a new facilities plan. We can provide evidence outside of the facilities plan. We can do a mini update and whatever evidence we have that can justify a useful life, we can submit that. Mr. Rodgers stated if we are really serious in providing the useful life of a vacuum system that we engage Mr. Demboski and AirVac to provide that. The engineers, not the sales people need to get together and provide that to the EPA. Mrs. Carr indicated we can do that in addition to asking for their criteria of what the need to provide. Mr. Rodgers stated that should be submitted to Council before going to the EPA along with the draft of the questions we are asking of the EPA. Mr. Markey stated that probably goes both ways, it's a two way street here. Mr. Rodgers stated he has been frustrated that we have been discussing vacuum for almost two (2) years and now all of the sudden we are finding out that there is potentially a 20 yr life span. Mrs. Carr stated that this all could have been avoided with a joint conference call with the EPA. Mr. Rodgers stated he is willing to meet anytime and noted he has not been invited to any meetings lately and there is probably a strained relationship here. Mr. Tousley requested going forward with the correspondence with Mr. Bernstein can we ask in detail what he needs us to do and Mrs. Carr stated that's what she just stated about the criteria needed.

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

Motion passed 6-0. Ms. Whipkey stated she will continue to force the issues to keep talking about Nash Heights at upcoming meetings, no more putting this off. Resolutions #59-2015 thru #62-2015 were removed and will appear on the next Regular Council Meeting agenda for October 26, 2015 as a second reading only.

ADJOURN:

There being no other business to come before the Special Council Meeting, the meeting was adjourned at 9:21 PM.

Rick Rodgers, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on October 26, 2015.

Karla Richards, CMC-Clerk of Council

NOTE: THESE MINUTES ARE NOT VERBATIM
****ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE CLERK OF COUNCIL****

All Council & Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted.