



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
NOVEMBER 23, 2015**

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|------------|------------------------|------------------|
| Roll Call: | Scott Pelot-Excused | Also Present: |
| | Dennis McGlone | Mayor Mike Zita |
| | Dennis Pierson-Excused | Valerie Wax Carr |
| | Paul Tousley | Ron Messner |
| | Charlotte Whipkey | Justin Markey |
| | Rick Rodgers | Karla Richards |

The Regular Council Meeting convened on Monday, November 23, 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, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE-Reports from Standing Committees

ORD #79-2015 An ordinance to amend the appropriations for the current expenses of the City of Norton for the fiscal year ending December 31, 2015, and declaring an emergency.

Mr. Rodgers moved to add this to the agenda, seconded by Ms. Whipkey. Mr. Rodgers stated this and the next ordinance are needed by Mr. Messner to complete some end of year financial issues. Mr. Messner noted both ordinances #79-2015 and #80-2015 are yearend basic housekeeping items. Mr. Messner stated he needs to move funds for capital accounts so that they are not in the negative for auditing purposes.

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

Motion passed 4-0.

ORD #80-2015 An ordinance to authorize transfers from the General Fund for calendar year 2015 into various funds and declaring an emergency.

Mr. Rodgers moved to add this to the agenda, seconded by Ms. Whipkey.

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

Motion passed 4-0.

Mr. McGlone discussed Mr. Messner's memo for the 800 radio purchase due to a price change and asked Mr. Messner to explain. Mr. Messner stated the Motorola representative had given the city the wrong price and explained the salesman initially had submitted a lower figure and he came out to do an onsite inspection of all vehicles and departments for exactly what was needed and was supposedly going to drop our price; however, he came back with \$265,000.00. Mr. Tousley stated the memo states \$285,000.00 and questioned if this was correct? Mr. Messner stated the original price should have been \$285, 000 and not \$226,000.00 as was quoted originally. Mr. McGlone moved to amend Ord. #72-2015 due to the memo from Mr. Messner and the needed increase in costs from \$250,000.00 up to \$270,00.00 seconded by Ms. Whipkey. Mr. Tousley still had issues with the numbers in the legislation and was concerned if this is still the right number we need. Mr. Messner stated with \$270,000.00 we have more than enough as the latest quoted price is \$265,301.45.

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

Motion passed 4-0.

Mr. McGlone moved to add Ord. #72-2015 to the Special Meeting for November 30, 2015, seconded by Ms. Whipkey.

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

Motion passed 4-0.

Mayor Zita noted we have been looking to replace the Planning Commission vacant seat in Ward 1 and Mr. Lada the candidate was present for any questions. Mr. Tousley thanked Mr. Lada for his interest and asked for his comments on why he wanted to serve and his qualifications. Mr. Jim Lada, 3940 Reimer Road, stated under former Mayor Koontz's administration he has served on several Assessment Equalization Boards and he wanted to continue to be involved and a part of the community. Mr. Lada stated he and his family have been here for 15-16 years and want to continue to see this community grow. Mr. Lada stated his professional experience is being a Facilities Engineer for Goodyear where he does planning for a corporation and he believes it is proven experience for the position. Ms. Whipkey asked is there any reason we need to wait on this for approval and Mr. Tousley stated that since there is nothing on the Planning Commissions future agendas and he also does not like to rush things. Mr. Tousley stated he could move to add this also to next weeks Special Council meeting and Mayor Zita stated that would be fine. Mr. Tousley moved to add Res. #78-2015 to the November 30, 2015 Special Council meeting agenda for its second reading, seconded by Ms. Whipkey.

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

Motion passed 4-0.

2016 Budget Discussion

Mr. Rodgers turned this discussion over to Mr. Messner for the details. Mr. Messner stated we would be discussing Fire & EMS, Building & Zoning, Community Development, Planning Commission, Civil Service, Records Commission, and the Engineers office. Mr. Messner noted his updated memo with all of the questions and concerns that were raised from last week and have been provided to Council in full detail; any updated budget sheets have the page number with an A added in order to avoid confusion and should be inserted in the budget notebooks.

Page #50 & 52 Fire/EMS Levy Fund 105

Mr. Messner noted especially for the public that last year we approved a total of nine (9) full time firefighters and at that time we entertained \$100,000.00 savings for 2015 by taking the part timers and making them full time. Moving forward into 2016, while we have a slight increase in the budget over previous years he wanted all to see that the 2015 budget for part timers is \$209,793.00 and for 2016 is down to \$197,815.00 due to scheduling refinements. Mr. Messner stated had we stayed with all of these officers at part time that number would have been closer to the \$457,000.00 which is more in line with 2014 and this change has reduced our costs drastically. Mr. Rodgers stated in fairness in 2014 the part time wages were \$446,776.00, but that was without the full time employees that we hired and Mr. Messner stated the Chief and two others were the only full time employees in 2014. Mr. Messner stated that basically, nine of them had moved up into the full time position. Mr. Rodgers asked for the cost of that and Mr. Messner answered it was \$182,000.00 in 2015 and went up to \$267,500 for 2016, so there is a gain there. The big part was by moving the part timers the big savings was in the overtime hours not paid for the part time workers. Ms. Whipkey asked why the increase of about \$85,000.00 was that for raises and Mr. Messner concurred as we are in the first year and first raises would have kicked in. Mr. Messner stated most of the increases are all payroll related from the nine going from part time to full time; if you look down you will see the various increases as in workmen's comp, longevity, PERS, holiday, etc. Mr. Tousley asked how we are saving \$100,000.00 and aren't we paying \$76,000.00 more in health care now? Mr. Messner stated that was mainly due to the overtime and we are. Mr. Tousley questioned if that increase and the \$85,000.00 paid more for full time wouldn't eat from the \$100,000.00 savings; adding he sees this more as an increase not really a savings. Mr. Messner stated it probably would, but we are saving in one area and spending more in another its more just flipping it around. Mr. Messner stated he has budgeted a higher call volume for next year as it has shot up tremendously and Chief Schultz stated they are definitely increasing and not slowing down. Mr. Rodgers asked if the calls are increasing is the reason for the increase in cost due to moving more to full time? Mrs. Carr stated the comparison we are showing is if we had kept things at a status quo with all of the part timers that dollar amount would have been larger and by going to full time this is still a savings. Mr. Messner explained if we had stayed with the 32 part timers, they were working anywhere from 36 hours to sometimes over 40 hours and we have moved that down to 22 people working 18 hour shifts. Chief Schultz stated the Affordable Care Act (ACA) initially exempted volunteer firemen. Ohio law defined volunteer firemen as those that do not pay into pensions; then the ACA changed the federal law to say "bona fide volunteer" which caused our 32 guys to no longer be exempt. Chief Schultz stated because of that these 32 men could not work more than 29 hours per week and we would have had to hire more. Mr. Rodgers stated in the numbers he sees it looks like an increase of \$209,000 and how do we explain this to the residents, was that due to the ACA? Chief Schultz stated that is the biggest part of the problem, is the health care.

Mr. Messner stated the health care nearly doubled from \$79,000.000 to \$155,000.00. Mrs. Carr stated she agreed that the overall budget went up; but if we had not went with more full time people, the amount would have been larger and asked Mr. Messner to repeat the numbers. Mr. Messner stated the 2016 part time wage budget would have been \$457,000.00 for the 32 firemen versus the \$197,000.00 budgeted now. Mr. Messner stated part of it is each year as the new changes keep rolling out from the ACA the costs are always going up. Mr. Tousley stated you could not equate \$76,000.00 to \$210,000.00 and that is the difficulty he is having as it was sold to us that we would save \$100,00.00 and by spending \$200,000.00 more he sees a \$300,000.00 difference. Chief Schultz stated you could have added at least half a million dollars for the part timers to cover the additional shifts that were needed and Mr. Messner concurred stating the 2016 proposed Fire/EMS budget would have been at \$1.7 or \$1.8 million instead of \$1.3 million. Ms. Whipkey stated that between 2014 and 2015 that alone was an increase of \$105,000.00 for full time. Mr. McGlone noted the fire pension and health care have both increased over time from 2014 to 2016 with the pension at about \$46,000.00 and the health at \$122,000.00. Chief Schultz stated with the rise in call volume we are buying more fuel, more supplies, etc. and that drives everything up. Ms. Whipkey wondered why the increase in call volume, was this do to aging of our residents. Chief Schultz replied not really, the average age of transports is 54 years, but we also cover all of St. Rt. 21, 585, I-76, plus all those that travel through the City for work. Mr. Rodgers stated outside of supplies that he only sees \$13,000.00, there is an increase of \$195,000.00 just in personnel cost from 2015 to 2016. Mr. Messner stated he did not disagree, but this \$1,354 million would be more like \$1.7 or \$1.8 million and the \$197,00.00 would have been \$457,000.00 because we would have had 32 employees part time and working 36-40 hours Mr. Messner stated he understands it is hard to see as the part time and full time have flipped, the biggest saving is in the part time from 32 down to 22 employees with cutting shifts to 29 hours and there are health care savings. Mr. Messner stated we did move 9 from part time to full time which was an increase in the health care costs in addition to the increases from ACA. Mr. Rodgers stated the problem is from the public's perception is that the costs went up and we were told there would be a savings. Mrs. Carr stated we can supply different spread sheets and q/a forms and the good news is that even though with these increases for next year we are still within the operating levy fund. Mr. Rodgers asked with these increases is this going to be a problem with the levy renewal for the future; to which, Mrs. Carr responded no everything shows we should still be within the numbers and Chief Schultz concurred. Ms. Whipkey stated the people clearly stated in the past that they did want the station staffed full time 24/7 and they wanted to keep it this way. Ms. Whipkey stated she recalled we were having problems keeping the shifts staffed and that is why we were going with more full time employees and Chief Schultz agreed. Mr. Rodgers asked what people said that and Ms. Whipkey responded when they voted to pass the levy to begin with to keep it staffed when the hours were cut. Mr. Rodgers stated he remembers this conversation and the vote had nothing to do with a 24 hour fire department or a full time fire department; they voted to pass the levy to fund the fire department, correct and Ms. Whipkey responded no, it was to have the people there. Mr. Rodgers responded it was not to hire a full time fire department, was it. Chief Schultz stated not strictly, but hiring more full time people had been discussed. Ms. Whipkey stated that is not what she stated, that she had said the people wanted the station to have bodies in it and without the levy we couldn't do it. Then we addressed the residents' concerns and this was the way to take care of that by shifting from more part-time to full time officers as they would work elsewhere and couldn't report here.

Mr. Tousley stated he for sure wants to see more in numbers because we were sold last year that there would be a savings of over \$100,000.00 and now not only is there not a savings, it's an increase of over \$200,000.00; it doesn't make any sense. Mrs. Carr responded that she understood his concerns and they would pull out the charts from last year and make some comparisons to put it back into the language that was discussed last year and explain it better. Mr. Messner stated he would not have this new information prepared for Monday due to his work schedule, but would rework the numbers from the salary area so you can see where it would have been and that there is a savings, but the ACA is costing us. Mr. Rodgers questioned on keeping the part time at the original number and cutting their hours to below twenty-nine (29) hours then the ACA would not have been an issue. Mr. Messner stated that was the problem as they were not below twenty-nine (29) hours then and they wouldn't have been now so all of them would have had to have health insurance. Mrs. Carr reminded everyone that the ACA requires a look back period of the last several years, some of these employees may have been in this group would have required us to pay them full time health care package even if they were actually part time, but we can avoid that now. Mr. Messner advised everyone that the look back period was from September 1st, 2014 to August 31st, 2015. Mr. Rodgers stated that you could always reduce their hours and Mrs. Carr stated that's exactly what we have been doing. Chief Schultz stated that is where we are saving as every time he takes hours away from a part time employee someone has to be available to take those hours or no one will be there; we would have had to hire more people to take those slots. Ms. Whipkey stated that because of that look back time we would have been forced to pay health care for anyone that would have worked over twenty-nine (29) hours during that period of time and Mrs. Carr concurred with Mr. Messner adding we would have faced a substantial fine if we did not. Mr. Rodgers asked if there are any comp time hours being given in lieu of overtime and Chief Schultz replied yes. Mr. Rodgers asked where they are within the budget, as he does not see them? Chief Schultz stated it is not in there, but that we have about thirty-two (32) hours currently and last year there were over one-hundred (100) hours. Mrs. Carr stated that there is a cap in their contract how many hours they can carry over. Mr. Rodgers stated if we owe the comp time one-hundred (100) hours that has to be paid out somewhere and we need to show that. Mr. Messner stated he is confident it's in these figures and we keep very good track of that and he would have to go back and see where it's buried in as he had thought there was a line for it. Chief Schultz stated that the overtime hours are very low and we keep them there as much as possible.

Page #53-EMS Fund 106

Mr. Messner stated that even at 35% some of these expenses did go up, but the salary line item would have been much greater if we did not make those changes last year. Mr. Messner referenced the part time line that for 2015 was \$112,000.00 and is going down to \$106,000.00 for 2016, but would have been \$246,400.00 without the part time to full time change made. Mr. Rodgers asked about the 35% and 65% references and Mr. Messner stated that was driven by Council legislation that 35% of the levy revenue goes to EMS and 65% goes to Fire. Chief Schultz stated that both of these are fire levies and the problem was in the past we had about 5-6 different levies floating out there with some being for EMS and some for fire and when we passed the levy all of these older ones were expired. Mr. Rodgers stated why don't we just have the legislation say it's all 100%. Mrs. Carr stated Mr. Messner stated he would have to check with the auditors to see if that can be done. Ms. Whipkey noted that all of the Firefighters now are required to be EMS trained and qualified and if we had anyone on payroll that was not.

Chief Schultz stated we have one that is not EMS and he was hired back in 1976. Ms. Whipkey clarified she was in no way advocating pushing him out the door, but would changing everything to paying all, would it interfere with his position. Mayor Zita explained it would not as he is a driver for the EMS unit. We won't even accept your application if you do not have a full time fire fighter card and paramedic license. Mr. Tousley asked about the second line amount of \$47,406.00 for the 2016 salary and shouldn't it be \$147,406.00 although there wasn't a lot spent with \$93,874.47 from 2015 left; why was that? Mrs. Carr agreed that perhaps that needed checked as there is a lot of budget left there and Mr. Messner stated he would review that. Mr. Rodgers asked why we charge Admin Officer costs here is this because she is Safety Director and Mr. Messner concurred, that she is spread across several departments and it is an accounting audit function that was in place long before.

Page #54-Fire/EMS Capital Fund 107

Mr. Messner noted the fund was down significantly due to the notes for principal and interest have been paid down or paid in full. The \$60,000.00 equipment expenditure was to replace the turnout gear for about \$15,000.00 and the remainder for the fire department's share of the radios needed. Mr. Messner noted the 800 MHZ radio cost would be spread out over a three (3) year time frame so the three departments could absorb them easier and split between Fire/EMS/Police departments as note payable lines. Mr. Messner stated there will also be updated cost sheets that will provide for the \$35,221.00 financing of the new squad for the Fire Dept. that was recently approved by Council and we should take delivery in January 2016. Mr. Messner explained it was a five (5) year lease with payments to begin in 2016. Mr. Messner stated that Chief Schultz has planned out capital purchases over the next twenty (20) years and the next time we need to replace a squad would be in about two (2) years and Chief Schultz concurred. Mr. Rodgers asked what the note was for that we just paid off and Mr. Markey stated this was for the purchase of the Beldick property. The Bond still out there is for the construction of the new fire station that was originally for twenty (20) years. Mr. Messner noted that bond is not paid until December of 2035. Mr. Messner stated that although it is paid out of the General Fund, but we really should not leave it there; we really need to expense it out of the fire levy fund, which is this particular fund. Paying it out of the General Fund is the way it has been done in the past; he guesses it was just history.

Page #32-Building & Zoning.

Mr. Messner stated we would be reapplying for the land grant in the amount of \$30,000.00. Mrs. Carr stated in this last year we applied and we were able to take down some additional homes with the \$15,000.00 we received. Mrs. Carr stated that this year they are looking at more economic development grants and we most likely will be submitting these in January and would use the funds to purchase the AP Gas station. Mr. Messner discussed the demolition expense in red on page 33-A and we have taken this out of Building since we closed that account as Barberton is doing this. Mrs. Carr stated even though there is no Moving Ohio Forward she still wants to see some funds remain here in case we need to take a home down and then assess the taxes for reimbursement as we did on Carillon. Ms. Whipkey asked if this was a matching fund thing and Mrs. Carr stated there are no matching funds now but if some grants become available or something came up it would be available to use as matching funds. Mrs. Carr stated the \$30,000.00 would be the grant money to get possession of the AP gas station and there would be other funds in the Brownfield Program to clean this property up.

Mr. Rodgers stated he wanted to be assured that we would not be buying this property unless we have enough funds in place to buy the AP property and have the additional funds for the clean up; he did not want to see us buying a property that we cannot use or sell. Mrs. Carr noted that she is looking at it as one package. We are trying to garner as much money as possible so it doesn't cost the City anything.

Page #9-Community Development

Mr. Messner stated that in this budget we are asking Council to consider a Development/Planning Director again this year. The part time zoning inspector salary that used to be in the building budget has been moved here as he will potentially work with the development/planning director. The only other piece is for professional services, such as InSite that we have worked with for this year and there is a renewal price for 2016. That is basically the three components in the Community Development budget. Mrs. Carr explained her detailed memo regarding InSite's progress or update (see attached) adding she felt the contract with them had been very successful. In addition she has asked them for a potential proposal contract which would have to come to Council sometime next year for your approval, but she wanted Council to see some of things that we are looking at doing. Mrs. Carr noted that by passing the 2016 Budget it does not mean you are approving that contract with InSite in any way. The most important item is that there a couple of projects that they have already started and she would like to continue: one is the AP station that we have already talked about; obviously the redevelopment of Cleveland-Massillon Road is important going forward; and monitoring the CRA. Please look it over and ask for any further information you may want. Mrs. Carr stated we wrote development/planning director, but where we are really lacking is in the planning areas. InSite has done a wonderful job in a short time, however we need to have a professional planner who can also help with the zoning side of things as there is no one except for her. Mrs. Carr stated she can pitch hit when necessary and worked to get KDA through, but it is not her are of expertise. Mrs. Carr stated she recalled the past zoning changes that although Council had passed them, the people did a referendum on this. Because of that, we have many gaps that need addressed, we don't have the elements to work through this, and there is no consistency for enforcement. We have very little that addresses the commercial code as most of it has to do with the residential code and that needs focused on to move forward, particularly with the Cleveland-Massillon Corridor. We did leave the Zoning Director as a part time position until we focus on a couple of areas and get some direction; is this to be strictly complaint driven, how and what do you want to see enforced. Mrs. Carr stressed again there were really no rules to enforce on the commercial side. We don't send the Zoning Inspector out there just looking to find things. Mr. McGlone asked if we hired a Planning Director full time, would that take away the services by InSite? Mrs. Carr stated we could lower the InSite contract, but now would not be the time to do this as they are working with economic development; in the future she would want to pull back on some of the consulting fees. Mr. Rodgers asked about the professional services at \$35,000.00 and can we get someone to do both of these positions if we added it to the \$59,000.00 to get a professional with the expertise. Mrs. Carr stated the \$35,000.00 was the number suggested for planning and to add the two would be making that the highest paid position in the City and we could certainly look into that. Mr. Rodgers asked at what salary we could get someone for the position. Mrs. Carr stated she was hoping we could get someone for the salary of \$59,000.00 which is a little less than the City Administrator and Finance Director positions.

Mrs. Carr went on to say she would be open to looking at someone part time to get us started once we have decided that is the direction we want to go and there may be someone who wants part time; from the research she had Mrs. Richards look up, the salary proposed was in the price range. Mr. Tousley asked about insurance on the position as it is not listed and Mrs. Carr stated a full time position would have insurance, but did not know why none was listed. Those figures would need to be added and Mr. Messner stated he would pull those numbers. Mr. Tousley stated he would also like to look into this to see if we could get a one size fits all sort of position. Mr. Rodgers asked what happened to the final costs for the building department since that all went over to Barberton? Mr. Messner stated that whatever was left just fell to the bottom line to the tune of about \$85,000.00. Mr. Messner stated that he has moved some of that money over from the Zoning Department. Mr. Rodgers asked what happens with the secretary going to the service department and Mrs. Carr stated that person could still do the zoning and building work because they work hand and hand. Ms. Whipkey asked if the job wasn't a union job and Mrs. Carr concurred stating it would need posted. Mr. Rodgers stated that he was concerned with the placement of the Planning Director that work flow is only going to increase and Mrs. Carr replied that we would need to look at that further and we could shift some duties to the Administrative Assistant. Ms. Whipkey stated if we do not need a development director as we need infrastructure to move in that direction, are we looking at developing residential areas for planning? Mrs. Carr answered no, it would be economical and residential; it would encompass many disciplines such as economical, financial, and planning. There was discussion on the services from InSite and Mrs. Carr stated that they do not have a Planning department staffing and they are looking at this being added to their services as many other communities have asked them for this. Mr. Rodgers stated that we need to have a consultant review all of our zoning relating to solving the puzzle for this City before hiring a Planning Director. Mrs. Carr stated she is open to this; but that is what a Planning Director would do, it really is like the chicken before the egg kind of process. Right now for planning, we have been trying to do it by ourselves when something comes in by looking at the map and the zoning; it can be done, but it is not very professional. With InSite we have someone constantly focused on Economic Development. We need someone to do the same as the Planning Director and be as accessible as InSite has been. Mrs. Carr cited an example that when a resident in Norton needs to leave because they want to downsize, we have no where for them to move to and they are going to Wadsworth because we have nothing to offer. Ms. Whipkey asked what about the church that was looking to build a senior housing complex and Mrs. Carr stated that was one of the things they were considering and was why they wanted sewer in that area. Mrs. Carr added that was still maybe not a dead issue if they could come up with some money to get the sewer out there. Ms. Whipkey stated they already have sewer at Johnson's Corner don't they and Mrs. Carr stated she was referring to the church on Greenwich. Mr. Rodgers stated if a developer picks Norton to build, they are going to make it happen and they will bring in sewer and water to it. Mr. Rodgers discussed the fact there were no utilities at Wadsworth Crossings or at the new development for St. Ed's new facility. That developer made that happen; they did not put it in and wait for someone to build. Mr. Rodgers stated back to the planning director, he was concerned on hiring the wrong person for the position and is why he was interested in a company with a track record to look at it. Mrs. Carr stated she would do some more research; she was only saying we were lacking in planning. Mayor Zita stated we do not have a person in mind for the position. It was decided to leave the department funds as presented for now.

Page #29-Planning Commission

Mr. Messner stated the biggest line here is the Planning Commission members, and is a very small budget.

Page #34-Civil Service

Mr. Messner stated there is an increase for various testing fees for all departments with civil service positions and board contracts.

Page #36-Records Commission

Mr. Messner stated this is even smaller than the Civil Service and the biggest expense is the shredding services.

Page #25 Engineer

Mr. Messner stated this main cost is to the County for their services. Mr. Tousley asked why the decrease and Mr. Messner stated he was not exactly sure. Mrs. Carr stated we pay a certain amount for each month. When we need to do something special like a traffic study or special mapping she has been pushing for this at no cost to the City since Mr. White works for the County.

Mr. Tousley had some follow up points to discuss from last week:

Police Budget-gas cost going up and why we are paying more for gas when the price per gallon has gone down. Mr. Messner stated part of this can be more of his hesitancy of not knowing future spikes in gas and tried to look into the future to make sure we don't go over. However, if something happens in the Middle East and gas prices spike, he may not have budgeted enough. Mr. Tousley stated he is just trying to make sure the money is all accounted for. Mr. Messner explained if he budgets \$100,000 and we only use \$70,000.00 then the savings just drops to the bottom line. Mrs. Carr stated perhaps the question Mr. Tousley is really asking is are we driving the same number of miles from year to year. Mr. Tousley stated that he knows that in his own personal budget it's definitely shown a savings due to the lower gas prices.

Mr. Rogers moved to allow for public comment, seconded by Ms. Whipkey.

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

Motion passed 4-0.

Mr. Jack Gainer stated he feels there is a record on the mileage for each vehicle that could be readily available especially when oil changes are done. Mr. Gainer stated that they must be looking at the service logs in comparisons. Mr. Gainer stated that the gas mileage for a police officer and a resident could differ greatly as the resident would be basically the same, but the officer could have greater mileage due to the conditions of the road and duties performed. Mrs. Carr stated she would get this information from Chief Dalessandro. Mr. Robert Copen, stated that you need to keep in mind that you are buying from the school district at a higher price per gallon. Mr. Rodgers asked Mr. Messner to explain why we are buying two (2) police cars.

Mr. Messner stated one has high miles at over 130,000 and another one was used from another jurisdiction. Mr. Rodgers stated about two years ago when most of us on Council were seated we were to buy one car per year. Mrs. Carr concurred and stated that we bought a used car that is costing too much to keep and we thought we would get more life out of that vehicle. Mr. Tousley asked about the health insurance in Finance on page #14 and wondered why these numbers are so uneven? Mr. Messner stated that is an over budget on his part, only two (2) employees take health care insurance. Mr. Tousley stated he was confused with the new hire for a potential new Deputy Finance Director and if this was enough to cover that persons cost for health care? Mr. Messner replied maybe not, he would need to calculate this back in. Mr. Tousley discussed the cost for IT services and Mr. Messner stated that is on page 20 and under General Government and explained that last year when we passed the legislation for SWISCOM it was for a portion of the year, and was supposed to be about \$85,000.00 total. Mr. Messner stated we just had that meeting last week and what we will have to look at is now that we are with Barberton and Copley when they make a software move, which they plan to do, that cost could increase. Our email server would need to be changed as currently we are on Zimbra and it is likely we would be going to Outlook. Basically SWISCOM IT is to handle the IT support services and the manpower; IT does not supply the hardware that may be needed so if a computer crashed, a new computer would not be covered and the City would need to replace it. Mr. Messner stated he is comfortable staying with the \$120,000.00 especially if we need software upgrades; for example, most of the city is running on Microsoft Office 2003 and the latest out there is Microsoft Office 2013 so we are way behind. We have about forty (40) users and to upgrade the software is about \$360.00 a person. Mr. Messner stated he is looking at having \$85,000.00 to \$100,000.00 for SWISCOM and the \$20,000.00 to cover any needs of the City.

COMMUNICATIONS FROM THE PUBLIC-Agenda and Non-Agenda Items

There was no one signed in to speak tonight.

CONSIDERATION OF MINUTES

Consideration of the October 26, 2015 Regular Council Meeting-Approved as submitted.
Consideration of the November 2, 2015 Committee Work Session-Approved as submitted.
Consideration of the November 9, 2015 Regular Council Meeting-*Deferred to 12-14-15*.
Consideration of the November 16, 2015 Committee Work Session-*Deferred to 12-14-15*.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS

PUBLIC HEARINGS-None

INTRODUCTION OF NEW LEGISLATION

RES. #78-2015

Mr. Tousley offered Res. #78-2015 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF JIM LADA TO AN UNEXPIRED TERM AS THE WARD ONE REPRESENTATIVE ON THE CITY OF NORTON PLANNING COMMISSION, AND DECLARING AN EMERGENCY.

First reading only.

****Added During Committee of the Whole**

ORD #79-2015

Mr. Rodgers offered Ord. #79-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND DECLARING AN EMERGENCY.

Mr. Rodgers moved to waive the second and third readings, seconded by Ms. Whipkey.

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

Motion passed 4-0.

Mr. Rodgers moved to adopt Ord. #79-2015, seconded by Ms. Whipkey.

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

Motion passed 4-0.

ORD #80-2015

Mr. Rodgers offered Ord. #80-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE TRANSFERS FROM THE GENERAL FUND FOR CALENDAR YEAR 2015 INTO VARIOUS FUNDS AND DECLARING AN EMERGENCY.

Mr. Rodgers moved to waive the second and third readings, seconded by Ms. Whipkey.

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

Motion passed 4-0.

Mr. Rodgers moved to adopt Ord. #80-2015, seconded by Ms. Whipkey.

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

Motion passed 4-0.

INTRODUCTION OF PRIOR LEGISLATION

AMENDED ORD #72-2015

Mr. McGlone offered Amended Ord. #72-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$270,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY COSTS OF ACQUIRING P-25 COMPLIANT RADIOS, AND DECLARING AN EMERGENCY.

Second reading only.

ORD #73-2015

Ms. Whipkey offered Ord. #73-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND SECTION 440.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO; AND DECLARING AN EMERGENCY.

Second reading only.

ORD #74-2015

Mr. Rodgers offered Ord. #74-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE ADOPTING MEDICAL COVERAGES AND RATES FOR EMPLOYEES OF THE CITY OF NORTON; AND DECLARING AN EMERGENCY.

Second reading only.

ORD #76-2015

Mr. Tousley offered Ord. #76-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE DETERMINING TO AMEND THE NON-BARGAINING UNIT SALARY RATES AND WAGES, AND DECLARING AN EMERGENCY.

Second reading only.

RES #77-2015

Mr. McGlone offered Res. #77-2015 for its second reading and asked the Clerk to read it:

A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION OF 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.

Second reading only.

UNFINISHED BUSINESS

Ms. Whipkey asked Mr. Rodgers how he thought the live streaming was from last week while he was in Florida? Mr. Rodgers stated the sound was clear, but he felt that the video was not so clear as it seemed out of focus and too far away.

Mr. Rodgers said that Mr. Pelot and Mr. Pierson also need to lean into their microphones when speaking. Ms. Whipkey asked if we could bring the camera closer and Mrs. Richards stated she had spoken to IT gentleman about that and if we bring it closer we will lose the panoramic view of Council. Ms. Whipkey stated so we need a new camera which we have budgeted already. Ms. Whipkey discussed the recent Resolutions of Necessity that failed by vote and her prior suggestion of a resolution that the assessments would be lowered at later. Mr. Rodgers had concerns that he was not confident that future councils would not follow through with it. Ms. Whipkey stated that as the Nash Heights projects needs done by the end of June 2017 all of you would still be seated and possibly the rest of the current Council as well so there would not be another Council involved to interfere with a resolution lowering assessments. We have done similar resolutions in the past where we would make a guarantee to the people; there is no way another Council could come and take it away as we would all be seated to ensure it happened. Mr. Rodgers responded that he did not believe the project would be done by June of 2017 as it looks now. Ms. Whipkey asked if he expected the EPA to move the timeline back then and he answered that we could only do so much and he did not see it being completed then. Mr. McGlone asked if there are any meetings coming up with Barberton on the MOU and Mrs. Carr replied she has had one discussion with Barberton and they are willing to talk with us. Ms. Whipkey stated she believed they had the agreement with Summit County on the agenda tonight. Mr. Rodgers asked Mr. Markey about the ability of Barberton to only be able to charge a certain rate due to the JEDD and Mr. Markey agreed they could only charge the Barberton rate plus 50%. Mr. Rodgers stated the people with the package plants would actually get about a \$16.00 reduction and Mr. Markey stated that Barberton charges less than the County. Mr. Rodgers added that those having water would get an even lower rate as you would be billed on the meter. Mr. Rodgers stated the other issue will be is when Barberton has to abandon the package plants how it will be paid for and Mrs. Carr stated she has asked this because there are rumors out there that the Norton residents would be assessed. Mrs. Carr stated she asked the Barberton Administration and we were told no Norton residents would be assessed for this; there need to be discussions opened up in order to get clearer answers as to how it will be paid for in the future. Mrs. Carr emphasized she had asked that direct question on the assessments and they have told her they do not know where that came from as they have never said that. Mr. Rodgers stated that when he talked to the Barberton Council President that was his answer to him that they would assess the people of Norton. Mr. Markey stated that legally another City cannot assess within the City of Norton unless they were a sewer district. Mr. Rodgers asked weren't they putting us into their sewer district and Mr. Markey answered Norton was part of their sewer system, but they are not a sewer district as that is a separate political sub-division under State law. Mr. Markey stated the County as a sewer district could assess residents, but as a policy matter, they would request the City pass an ordinance permitting the County to come in and do an assessment. Mr. Markey stated that even if this Council were to pass such an ordinance there is no legal right permitting Barberton to do so. Mr. Rodgers stated that if Barberton purchases the plants, those residents would get a reduction and the cost of abandonment would have to be spread over their entire customer base then to recover it as they cannot just attach the Norton customers due to the JEDD agreement. Mr. Markey stated he could not say how they would account for it, but they should be following the water/sewer agreement and charging the same rate and they cannot assess. Mr.

McGlone noted right now Summit County DOES charges a \$30.00 assessment for maintenance and that fee would go away, and Mr. Markey concurred. Mr. Markey added he did not know if Barberton's surcharge of 22.5% would be enough to replace the package plants.

Mr. Rodgers stated the County had reported to the media that it was a losing proposition for them and is why they wanted to get rid of it; he cannot imagine why Barberton would want to buy something that was already losing money. Mrs. Carr stated it was due to the maintenance costs as the County does not recover any of the fees. Mr. Markey stated the County has a system that transports the waste, Barberton bills the customers in Norton and they keep everything except the cost of transport which they send to the County; so the County has a system and have no revenue made off it as Barberton keeps the money now. Mr. Rodgers stated we may have inadvertently given the residents with the package plants a really good deal. Mrs. Carr pointed out that they have always said that the cost would decrease for all DOES customers if Barberton took over the sewers. Mr. Rodgers stated it was only going to decrease \$5 and Ms. Whipkey disagreed as she thought there was going to be a \$5.00 increase to package plant customers. Mr. Markey explained the overall billing to them would decrease 8% from the County billing with Barberton acquiring them with that decrease being \$5 more for those served by package plants than the other sewer customers. Mr. Markey pointed out that the prices just discussed were under the model and we do not know if Barberton will still agree to use it now. Mr. Rodgers stated there is no model and they have to follow the JEDD. Mr. Rodgers briefly discussed the recent correspondence drafted to the EPA regarding the 5 bullet points for longer terms for vacuum and our plans to go forward. Mr. Markey noted for the public the letter was in response to Mr. Bernstein's request for the 5 bullet points to prove useful life for the gravity and vacuum systems and the plan for the City moving forward. Mr. Demboski of EDG helped put it together and is not ready to go out, but was drafted for everyone to look at and any input Council may have on it. In particular, Mr. Rodgers, if Bilfinger has any information the EPA does not have yet, if they could add it would be beneficial. Mr. Rodgers responded he hoped EDG was still working with them on that; Mr. Rodgers then discussed the operation and maintenance costs and that we had requested all three (3) of them, including Barberton, to come in and provide their data; at least Bilfinger and EDG should get together. Mr. Markey stated that the important thing on the analysis, even if the O&M numbers are high, that it shows both systems are viable to the EPA then Council can reasonably make the decision of one over the other as the numbers are competitive. Mr. Rodgers asked if anyone in Administration is going to contact EDG and get Bilfinger involved? Mrs. Carr stated the way she understands it, this information has already been requested from Bilfinger and this is where it stands and they have not turned over and O&M costs; there may be a breakdown in communication there. Ms. Whipkey asked about Barberton and Mr. Markey stated he believed Barberton may have this already prepared. Ms. Whipkey discussed there would be three different maintenance cost proposals and that Barberton indicated would be more for the vacuum system; did they have the right to make up any number for that. Mr. Markey stated the original framework set up was that there would be a base line cost and we would come up with an agreement between all three parties what that would be and then in the future years the maintenance cost would be based on actual results. Right now there are two possible scenarios. One is Norton would own the system and maintain the lines with the charges decided by this Council; the other is we get an agreement with Barberton, turn over the lines and then negotiate what the charges would be going forward. It would probably be under the same type of framework.

NEW BUSINESS

Mrs. Carr noted for next week, as we have concluded the AFSCME Service union contract, we need to request an executive session and its councils decision what time to start.

We could start early before the regular Council session. It was decided to start the Committee Work Session at 6:30 PM, move the agenda items to the Special, recess Committee of the Whole and go into the Special Council Session and into exe. Session, and then come back to the Special Council to adopt various pieces, adjourn and go back to the Committee of Whole. Mr. Rodgers advised the attorney is to be here by 6:45 and we should be ready to go.

PUBLIC SERVICE ANNOUNCEMENTS

(See attached).

PUBLIC UPDATES

Ms. Whipkey announced the roof at the community center was completed last Wednesday. The handicapped doors and keypad are in the works and due to a backorder we hope to have completed by December 14.

ADJOURN

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 9:27 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 December 14, 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.