



## FINANCE COMMITTEE MEETING APRIL 23, 2015

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

Also Present: Mayor Mike Zita-Excused  
Valerie Wax Carr-Excused  
Ron Messner-Excused  
Justin Markey-Excused  
Karla Richards

The Finance Committee convened on Thursday, April 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. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

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

#### **Norton 2015 WPCLF Updated Project Schedule**

Mr. Rodgers stated that we have been working on getting a 50% forgiveness grant which we did not get in the first go around and we are seeking to try this a second time. Mr. Rodgers noted that the Administration could not attend this evening. Mr. Pierson questioned if they gave a written reason why they and three Council members could not attend this evening. Mr. Rodgers stated no, but they do not have to attend as it is a Committee work session. Mr. Rodgers discussed the response Council received from Mrs. Carr relating to the forgiveness loans and six different sewer projects that funding had been applied for with the first being Nash Heights East, Nash Heights West, Greenwich Road, and State Route 21 pump stations; he raised concern with two (2) pump stations; one for Greenwich Road and another one at St. Rt. 21 and Wadsworth Road. Mr. Rodgers stated he had asked Mr. White about the Van Hying and Hudson Run projects and Mr. White was not immediately sure. Mr. Rodgers stated he thought Hudson Run was at the intersection of Medina Line & Wadsworth Road. Mr. Rodgers stated he ran on the residents' concerns to take care of Nash Heights and it has always been his idea to take care of them and commercial development on Cleveland Massilion, Barber Road, and St. Rt. 585. It was not to put sewers into the whole city, although if we had another Nash Heights, we would have to address it.

Mr. Pierson stated the summary we received on April 20, 2015 only backs up the Administrations idea to force sewers in the entire city for \$49 million dollars and it looked like the exact plan we had paid \$650,000 for three (3) years ago. Mr. Pierson stated he felt that this Council did not give authorization to do so for these projects, and would get another legal opinion, on whether Administration could do it without informing Council; some folks in the Administration should be held accountable for that and perhaps that's why they aren't here tonight. Mr. Rodgers stated that he did ask Mrs. Carr had answered that when it comes to nomination of certain projects that authorization is not necessary. Mr. Pierson questioned whether the projects were for pollution control or development as projects were all under water pollution control, but the emails all spoke of development; is it for City development that they are not authorized to do or for pollution control. Mr. Pierson added that if it is for pollution control, who said it was a problem in the said areas other than the documents he passed out to Council, earlier toward the meeting, from Environmental Design; it makes him wonder who is driving these projects, the engineering department or the contractor we hired or the Administration? He doesn't see where it is favoring the people of this community and the battle cry in the past has been "I'm not paying for Nash Heights, because it's not my problem." It's now become a city wide problem because all the residents will ultimately be paying for these projects. Under the Charter it provides that we have the authority to discuss it and at the very least Mayor Zita should be here in addition to the three members of Council. Mr. Pierson stated that these issues will come back up to all of them on Monday and he expects answers. Mr. Pierson discussed the pump stations and Greenwich Road and SR 21 and questioned why its need in these areas, has it been cited as a specific area of concern? Mr. Rodgers explained that there was a response to Mrs. Carr from Mr. White stating that the applications for funds on the Hudson Run project is just submitted for nomination in case they are needed in the future. Mr. Rodgers stated he has always said we need to stay under the radar and get our systems fixed and keep the health department and EPA from looking at us so hard. With the new Health Dept. laws if you have a working/non-working system you have opportunity to get repaired. Mr. Rodgers stated once it's fixed they will not bother you until your system fails, adding that they are still issuing permits for off lot systems. Mr. Rodgers stated he is concerned with the emails from an engineering firm that works for our City of Norton, and is commenting to the EPA that some systems in Flesher Allotments are worse than Nash Heights. Mr. Rodgers stated he is not aware of any testing done there to validate that but is a question to get answered. Mr. Demboski also talked about future development, etc., and Mr. Rodgers asked who is driving the bus here, these are our decisions and should be coming from Council and not for Mr. Demboski to be out there free lancing. Mr. Pierson stated it appears the Mr. Demboski stands to financially gain from expansion of the projects. The people of Norton did not elect these people, they were appointed by the Administration. Mr. Pierson stated it's just ridiculous to have received information two days ago and as Chair of Utilities has not received a single email, although he admitted it was likely his fault as he should have gotten on them. Mr. Pierson questioned again why are we adding to the project? Mr. Rodgers agreed and stated he would like to get Councils opinion on where we go with this, as he feels it should all stop at Nash Heights. We can address the commercial base at Cleveland-Massillon Road, Barber Road, St. Rt. RT. 585 and we can do that by controlling that growth.

We need to think about it if we can really afford that rush to growth. We have a lot of issues with the roads to address. Mr. Rodgers stated he would like to have Council on board in one direction. Mr. Rodgers stated he spoke with Mr. Dean Stohl in the Twinsburg EPA and advised him we were having issues. From those discussions, the feel is our City will not be awarded with the 50% forgiveness and we are advised we need to proceed with this project with no further delay. Mr. Rodgers indicated we had an initial meeting with the EPA for this Monday; however that has been postponed and we don't have a new date as of yet. Mr. Rodgers stated we have two proposed ideas to get this done. It seems some members of Administration want to grow this project, taking in areas that aren't in the ordered area; we are trying to scale that back. The pump station at St. Rt. 21 doesn't make sense. Mr. Pierson stated the President made an interesting comment by saying "some people in the Administration" as he is tired of hearing about the Administration and their salaries are paid for by the citizens. Mr. Pierson stated we were elected to look out for the peoples' best interest that he is frustrated with them and doesn't care about what they want to see done as this is not a popularity contest. Mr. Pierson stated that we are all here to protect your wallets and he is not going to see your money spent for some profit margin. We have continually worked with the EPA and we have never said we were not moving forward with this project or stonewalled them; we are only trying to do this effectively to save money. Mr. Pierson stated that he is tired of this Administration thinking that they run the show, they need to understand that, and he felt some of them should resign. Mr. Pierson we need to cover our costs, and our roads are disintegrating, we cannot even take care of our basic infrastructure; but we are willing to spend millions on sewers. Mr. Pierson this is not just about Nash Heights, as this will affect the entire community as the people of will bear the burden of entire project of \$49 million throughout the City and the residents cannot afford this. Mr. Pierson apologized for his passion, but he hates waste and he has a dog in the fight as he is citizen. Mr. Pierson urged the residents to come here every week and tell us how you want us to vote. Mr. Pierson stated is all for economic growth, however is not willing to spend \$7-\$8-\$9 million dollars in hoping the businesses will come as a member of Council keeps stating. Ms. Charlotte stated she was shocked to be reading about the Flesher Allotment as this is the first she has ever heard about it as it would not have been an area she would have suspected a problem. Ms. Whipkey stated she wants to focus on what we have to deal with now and nothing more. Ms. Whipkey pointed out there has never been a time that a Norton Council, Administration, or the people have had to look at a project of this size and the affect it will have on the people. The only times it has ever happened is when it was driven by development of homes by the developers. In those projects, it would not have the sticker shock as the cost would be in the cost of the home and not like another mortgage. We have enough on our plate with Nash Heights and the community septic systems that we will have to deal with. Mr. Tousley stated he cautioned his comments because the Administration is not here to address this. Mr. Tousley questioned the reference of Flesher Allotment on the map numbered as #5, and that he was troubled with the EPA even looking at that. Mr. Tousley stated we need to focus on what is in front of us now so that we can get this right. Mr. Pierson stated that he is not rushing on this and he has been hearing all about the EPA; the EPA can just wait until we do get it right unless the EPA wants come in and pay for it.

The EPA is like the 500 pound gorilla in the room. Mr. Pierson stated we need to get this right the first time. Mr. Pierson discussed the recent tours last week and he had wished all of the residents could have seen what they did. Mr. Pierson stated he is very impressed with what the vacuum system and the \$1.6 million savings. Mr. Pierson pointed out that one of engineers stated they would have preferred gravity, but the vacuum was more cost effective for Randolph as it would be for Norton. Mr. Pierson stated that he still does not believe we can do gravity for \$8 million and is assured there would be cost over runs. Ms. Whipkey stated she understood vacuum was used in Randolph due to the line going along Rt. 44 and the road damage would be less than gravity. Mr. Pierson discussed the Norton depths of certain parcels of 20-30- feet and don't tell him that we weren't going to have damages going that deep compared to 42 inches, and the engineering screw ups with other projects. Mr. Pierson added that the vacuum systems have been mocked by people saying they freeze up, but the example areas used were in the Arctic Circle of Alaska and the Atlantic Ocean along Massachusetts as opposed to Randolph 20 miles east of us having no issues. Mr. Pierson went on to include that Randolph revealed a new gravity system was having issues due to engineering screw ups than during the time they have worked with the vacuum. If money wasn't an issue then fine let's do it. Ms. Whipkey discussed the engineering problems with gravity and she felt that was possible with either system. Ms. Whipkey stated that Randolph only had eighty-eight (88) residents on the vacuum and that is a big difference compared with seven hundred (700) for gravity. Ms. Whipkey stated she does not care with way we go and would be happy if we could just do it with a garden hose if it would work. Mr. Kevin Kerns of Gulf Course Drive, Norton, Ohio, stated that you talk about arguing and getting things done. We cannot get seven people on the same page for more than five minutes. Every Monday you keep talking about the same things, and you keep arguing with Mrs. Carr. She is the one that wants to keep moving on down the road. You as Council can stop it and it has nothing to do with Nash Heights. Mrs. Carr stated she still wants to come up onto Golf Course Drive, even when she was told by everyone that we have deed restrictions that won't allow it. The next thing you know we will be going in every direction because we are mandated. Mr. Rodgers stated he would like to see a motion come from Council to just focus on Nash Heights and put everything else on hold. We have Cleveland-Massillon Road coming up, we have flooding issues, sewers, and storm sewers on Barber Road and we need to address that as well. Mr. Rodgers stated that it appears we have 4 of us here that seem to be in favor of that and we can give the Administration the direction we would like to go. We need input from the citizens as we work for you and you need to talk to your Council people.

Mr. Ed Miller, 3832 Shellhart Road, Norton, Ohio, stated he agrees with Mr. Rodgers and Pierson but has one question. In the process of turning over the sewers to Barberton he understood that so many new customers had to be added in to the pool to cover the surcharge deal. Could it be the people in engineering are just saying they have to add hundreds of people over the next 25 years; agreeing this with Barberton is almost agreeing to sewer the City. Mr. Rodgers answered that there is no agreement with Barberton and that is ongoing with discussions with the reason being the additional 1400 hook ups.

Ms. Carrie Beagle, 3920 Reimer Road, Norton, Ohio, stated two and a half years ago she received a \$60 bill for inspecting her sewer and became interested in the project. She called the Administration offices and left ten (10) messages with the secretary and no one returned the call. Ms. Beagle stated the Administration did not even bother to address her concerns. Ms. Beagle stated that since she could not find out what this bill was for she was not paying this and now she sees this as an assessment on her property taxes. Ms. Beagle pointed out that the City Administration could not bother to call her and answer a single taxpayer's question; so she started coming to the meetings and she is angry as she just found out that her house could be sitting in between two pump stations. She did not move to Norton to have that and was on board with whatever was needed.

Mr. Paul Reese, 4052 Wadsworth Road, Norton, Ohio, stated he recalled that in the past Mr. Bergstrom was pushing heavily for this pump station and questioned if this Administration is beholden to previous council? Ms. Whipkey noted this information we are looking at is from 2013. Mr. Reese commented that was discussed at a town hall meeting and it was discussed then where these pump stations would go. It was commented by Mr. Bergstrom that he wanted to sell his home and therefore he needed sewers. Ms. Whipkey responded that she would hesitate to answer that question as she has a map with only three areas and that area is not one of them; we are discussing a map with five areas, of which this is number five, and she has no idea where number four is located. After which, Council agreed they had heard similar comments in the past years.

Mr. Robert Rayl, 3916 Holiday Drive, Norton, Ohio, stated he had spoken earlier today to Mr. Rodgers, and Mr. Rodgers concurred, as far as he knows there is no mandate from the EPA for sewer system. They simply ask that you fix the problem and that should be done by what the County Health District is doing by inspecting every sewer system to determine repair or replacement; there should be no discussion of a sewer system. That should satisfy the EPA. In my mind it does and he believed it did in most people's minds he talked to; Mr. Rayl added it was said there is no agreement between Norton and Barberton, but he suspects, as do other people in Norton, there are some in Administration that have some type of agreement and are pushing a sewer system. Mr. Rayl stated that he hopes there is not some type of conflict of interest here because there could be some problems. He expects some backbone from Council and to tell the Administration what they want. If papers are missing, you should have it explained to them why it is missing. Mr. Pierson stated there is an order and Mandate in Nash Heights. Ms. Whipkey stated the Health Dept, stepped in and asked the EPA to step in.

Mrs. Connie Rayl, 3916 Holiday Drive, Norton, Ohio, thanked these members for looking out for their interests. Mrs. Rayl stated growth is not either a bad thing or a good thing and should be considered as many people in Norton are happy with a sleepy community. Mrs. Rayl stated that her patents live in Barberton and have sewers and every time there is an excessive rain, the sewer backs up in their basement.

Ms. Audrey Kornacki, 3008 Dutt Road she realized that you all here tonight are not part of our problem, you are for us; but come on Monday, the others are going to hear a whole lot more. We don't need sewer all over our community. Mrs. Kornacki realized that Mrs. Carr was not present when we were all here complaining about this, but she is now and she should be listening. Mrs. Kornacki stated that if she can't listen to us, then she needs to leave.

Mr. Paluch 3740 Shellhart Road, Norton, Ohio, thanked those that tuned out here and suggested they all bring a friend to Mondays meeting or go to WNIR. Mr. Paluch complimented the four (4) on Council for the job they are doing. Mr. Paluch stated the people get confused when the media prints the garbage that the city will be paying 2/3 and the home owner only will pay 1/3. That's a total lie; we are paying 100% of the project. Mr. Paluch stated the city is always talking about grant money and do you know that is money that we all have to pay back. Mr. Paluch discussed the \$3,000.00 in permit fees and we need to put that on the ballot to limit that to \$300.00 and he is one of the people that will make that happen. He is fed up with this Administration but needs the support of the residents and he was ready for his petition drive where the old fire station used to be. Mr. Paluch stated he needs to get the support of the people. Ms. Whipkey stated she agrees with the right for anyone to petition, however he cannot petition another city to limit their fees as it has no effect on Barberton; you cannot tell Barberton what they can charge us. Mr. Paluch stated he would put it on the ballot and let the voters decide and if the voters agree with him Charlotte, you have a problem and Barberton has a problem. If there is no agreement with Barberton, it shouldn't affect the people; but he will put it on Charlotte whether you like it or not. Ms. Whipkey stated she was only trying to tell him that we cannot limit Barberton's fees, our Charter pertains to Norton. Mr. Rodgers stated that he would suggest that you should let the Council that is seated at the time the project is completed they have the power to set those fees, assessments, and how they are paid. Mr. Rodgers cautioned doing a petition with a special election with an expensive cost to the citizens. Mr. Rodgers stated the Council makes the decisions and our votes are the only ones that count in these chambers; he suggested Mr. Paluch speak to all the Council members on his issues. Mr. Paluch stated he likes to have an ace in the hole and he doesn't want to pay that \$3,000; he agreed he did not want a Special Election either and may hold off until after August so it cannot be a Special Election.

Mrs. Pat Reese, 4052 Wadsworth Road, Norton, Ohio, stated that we are a Charter City and doesn't that mean we should have more input on what we want? Mrs. Reese asked if the Administration is in violation of the Charter for not providing Council with the information you need? If they are not and they continue to do this there must be some options to stop this. Mrs. Reese reminded everyone of the Municipal League coming before Council and stated having a Charter was the best thing we could do. Mrs. Reese complained about the lack of the members not present for tonight's meeting.

Ms. Whipkey stated she is a big proponent for Charter Amendments and giving the citizens more power; the next time you get the opportunity to approve a Charter Amendment that turns more power over to you, please jump on it.

Mr. Rodgers asked what can we do here tonight as far as a motion and Mrs. Richards stated that you can make a motion and this would be to give the administration your directive on what you want to do, it's not taking action on anything. Ms. Whipkey added that if we make a motion to restrict the area, we make sure that we do not eliminate any projects that are in line for economic development.

Mr. Robert Rayl, 3916 Holiday Drive, Norton, Ohio, stated that you can make a motion to hold Administration in contempt for not providing what you asked for. Someone has to be responsible if they are in contempt; then get rid of them.

Ms. Carrie Beegle, 3920 Reimer Road, Norton, stated that what she is getting is there are certain people and Administration that they wanted to get all the city sewerred and she fears they would use the EPA and the fear of the EPA to force this and asked if you can put a cease and desist on this engineer to stop contacting the EPA and spreading the lies about this community and make it stop.

Mr. Rodgers stated the biggest thing is we have to help ourselves and maintain our systems. Perhaps we need another town hall meeting particularly since the County has accepted the new rules from the State. If not familiar with those, the County will start to charge yearly fees for septic owners and made to keep in compliance which will cost some money but would likely be much cheaper than a sewer. We are going to try and pull in EDG as to what they are doing. Mr. Rodgers explained that we don't want to hamper anything that is already in process like Cleve-Mass but we don't want to enter into Weber and Trotter and if we don't want anything we need the majority of Council to vote down anything the Administration will throw at us.

Mr. Kevin Kerns, 3732 Golf Course Drive,, Norton, Ohio, discussed the tax credit roll back and the ½ percent for those that work in other cities. Mr. Kerns stated that money should all go to the people to help elevate the bill for the new sewer systems. Mr. Kerns stated that he heard it was loosely worded that they can use this money for whatever they want with that money. Ms. Whipkey stated that it's Council that has the power to change any legislation. Mr. Pierson stated the 128 Fund is specifically for the development and maintenance of water and sewer. No matter how Administration intends to use city resources, that is ultimately the decision of Council.

Mr. Rodgers discussed the current projects already in place and we need to have it clarified for the meeting on Monday and the motion would be made on Monday and he would be certain on the wording of the motion and any projects already pending such as Cleve-Mass and Summit Roads. Mr. Rodgers stated that we will still have the four (4) of us in supporting that motion on Monday and would send the message to not go out looking for another project. Mr. Rodgers commented on one of the resident's statement of being a bedroom community which is not a bad thing. Mrs. Kornacki asked about the change from a township to a city and was that because of the population increase? Mr. Rodgers stated that once you have the population you have the right to become a City; adding that Copley has he thought about 50,000 people and maintained their township status. Ms. Whipkey stated the residents did vote on this.

Ms. Kornacki stated she wanted to undo this and become a township once again, as she sees so many vacant homes and felt the population would be going down. Mr. Rodgers said we would find an answer for that question. Mr. Tousley stated that he felt by becoming a City that protected us from annexation from other cities. Mr. Rodgers stated he thought the people have to vote to approve any annexation.

Tom Petrich 3762 Easton Road, Norton, Ohio, stated that two (2) years ago when Mr. Nicolard brought in someone from the Ohio Municipal League and he had spoken about reverting to a township. Ms. Whipkey stated we did some research on that and that Mrs. Richards would still have that information. Mr. Petrich discussed using the County for certain services. Mr. Petrich commented about how the empty land generates revenue for the City and uses no City resources like police and fire services. Mr. Petrich discussed the numbers and the cost for the project. There are a little over 3,000 homes in Norton without sewers. Mr. Petrich stated the cost of vacuum being \$1.6 million less and if you move the pump station back to Shellhart where it should be, that would be a savings of \$300,000.00. If this goes even 10% over budget the likelihood it will come in on budget is not realistic. Even if the gravity does come in on budget; that is a \$1.6 million dollar savings for vacuum, and Mayor Zita stated he would not give that back to the citizens. Mr. Petrich stated that there should not be any profit, it's a function of service. The premise of the model is that is predicated on continuing because there is no limitation in that agreement and can continue to grow. Mr. Petrich stated that this whole thing is a Trojan horse. Mr. Petrich stated he has an engineers report from the Director of Portage County-Water Resources Division and he has done a point by point comparison between gravity and vacuum (see attached). Mr. Petrich also handed out the cost sheet that he and Mr. Rodgers prepared (see attached). Ms. Whipkey stated that when we went to Randolph the man that was touting the vacuum system is also the same one that designed it. Mr. Petrich stated that if you want to argue that, the guy is also the director of the county and an engineer and it's his opinion. Ms. Whipkey stated it is fair for the public to know that opinion is coming from the man that designed the system. Mr. Rodgers stated that he has spoken with the vacuum system operators of half a dozen others throughout the state in addition to the ones in Plumb Island, Massachusetts. Every one of them have stated that if they have problems they are based on two (2) things; design construction and maintenance. If they are installed properly and maintenance is maintained they are good working systems. They are the less costly to build and the most environmental friendly systems you can have. The water does not get out and nothing gets into it. The only water that can enter is if you have your downspouts entering them illegally. There just isn't any infiltration; they are great systems although there is a lot of bad press on them. Ms. Whipkey pointed out that it was evident that the top part of the vacuum pit in Randolph did get water in it, but did not seem to interfere with where the effluent actually went.



**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:35 PM.

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Rick Rodgers, President of Council

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

**\*\*ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE CLERK OF COUNCIL.\*\***

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