



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MAY 26, 2015**

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

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

The Regular Council Meeting convened on Tuesday, May 26, 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

Mr. Pierson stated that after last week's discussion he had asked for new legislation for changing the Resolutions of Necessity for the Nash Heights project. Mr. Markey stated that the two new Resolutions of Necessity are basically the same shell as the previous ones. There is one new change in Section #9 that rescinds the original Resolutions of Necessity. Mr. Markey noted there would be completed exhibits to follow once Mr. Demboski has completed the new plans and drawings. Mr. Rodgers asked about the time line on that and Mrs. Carr referenced her most recent update (see attached) and stated that depends on which pump station is chosen. Mr. Carr noted that it was desired to have Mr. Demboski come and speak about that and he is available on June 15, 2015. After Mr. Demboski and Mr. Docherty may their proposal it could take two (2) weeks or two (2) months; depending on what design is chosen. Mr. Rodgers stated for this legislative action we don't need the designs. Mr. Markey clarified that you need to have the final plans and specifications of the exact assessment area to be on file, the pump station does not need to be included. Mr. Markey stated the lines could change and he did not know the details between the vacuum and gravity. Mr. Rodgers stated that with gravity, there is no question. With vacuum depending on the type of pump station needed, the lines should still come in the same way and should have no bearing on this legislation now. Mrs. Carr stated she did not disagree with that, however she felt there are some things that need to be done with property owners along Shellhart. Ms. Whipkey asked what happens if these residents do not agree and Mr. Pierson added don't we have the right for eminent domain for the project? Mr. Markey stated yes, you do have that right under eminent domain. There was discussion on the letters to the fringe property owners and Ms. Whipkey asked if they were sent out? Mrs. Carr stated no, she had only received a comment from one (1) council person on the draft and if all of you are in agreement she would get them sent out. Mrs. Carr stated a no response would be mean that you do not want included in this project.

Ms. Whipkey stated she wanted the letter to include the response received from Mr. Pruett regarding their requirement for tie-in's into the new line. Ms. Whipkey read into the record that response (see attached). Mr. Rodgers stated this will impact the residents and we should plan a town hall meeting for the second week of June with these residents as they would have received the letters by then and would have any questions that could be answered. Mrs. Carr reviewed the time line for the letter/town hall meeting and follow up. Mrs. Carr stated the letters should go out no later than first part of June and a meeting in the second week of June, and Mr. Rodgers suggested the 10th or the 17th. Mrs. Carr noted she would check to see if the community center is booked. Mr. Rodgers stated it should be here in Council Chambers and Mrs. Carr agreed, and a date was selected for June 17th, at 7:00 PM. Mr. Rodgers stated that the answer from Mr. Pruitt adds concerns that if that pump station were to be at Golf Course Drive due to that 400 ft. requirement. Mr. Rodgers questioned who would be responsible for that additional cost? This just opens up a can of worms here if we do not limit this to the scope of the project Mrs. Carr reminded Council that the property has not been secured from the current property owner in this area. Mrs. Carr read over her questions and Councils responses back to her. Mr. Rodgers questioned having Little Blvd. still in this and if this was Councils desire? Ms. Whipkey discussed the tie in requirements again and Mr. Rodgers stated that as long as their system is working properly and is maintained they would not force them to connect to the new lines. Mrs. Carr stated we need to be clear with Little Blvd, because if the letters come back from the residents and they want in then your Resolution of Necessity would have to be corrected. Mr. Markey discussed the details of having them in or out for the purpose of the Resolution of Necessity. Mr. Grether stated he does not see these options listed within either of the Resolutions. Mr. Markey stated that is not the intent of the Resolution; it is to determine the scope of the project. Mr. Rodgers stated the line is already going down Shellhart and Mrs. Carr stated that it is going up to the Little cul-de-sac. Mrs. Carr stated that even if you have one (1) resident on Little Blvd., then you should leave it in the Resolution for now. Mr. Tousley asked if we do that and a majority of the residents respond that they don't want in, then what? Mrs. Carr stated that we would just do non-perform for Little Blvd. Mr. Rodgers moved to eliminate Little Blvd., north of Shellhart from the project, seconded by Mr. Pierson. Mr. Pierson stated we also need to eliminate Brookside and Mrs. Carr clarified that Brookside was never in the project. Mr. Markey stated you need to wait until you get your letters back first before you remove them from the project. Mr. Rodgers stated his point is that we need to clean up this proposed legislation and send out the letters and see what comes back. Mr. Pierson asked don't we want to do that for the extension because that could take affect later on down the road. Mrs. Carr noted in the map that anything inside the yellow area would not be getting a letter; anyone outside the yellow would be getting a letter. Mr. Tousley wanted to be assured they can be added in the future if they want in. Mr. Markey stated that is why he is hesitant on moving forward with these Resolutions, as this is premature and Mr. Grether and Ms. Whipkey also agreed with Mr. Tousley's concerns. Ms. Whipkey stated as she stated before; she is not in favor of moving forward with anything without the residents input. If we wait until it's all figured and know what we are doing once and for all then we need to wait until those letters back. First they were told they are in and then they are out, and Mr. McGlone stated no wonder they are confused. Mr. Rodgers disagreed, for whatever reasons, right or wrong Little Blvd. was added and we are putting this on the residents along Little Blvd that they can't even buy into because they are not part of this consent order. Ms. Whipkey stated they need to be given the choice. Mr. Rodgers stated they don't even need to be given the choice.

If we take them out now they would still be given the choice by asking them if they want in with those letters. Ms. Whipkey stated it would have been best is if the whole Little Blvd., issue had come to Council in the first place and we were all asked if Little should have been in the first place.

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

Motion failed 2-4. Drafted Res. #34-2015 and #35-2015 were taken off the agenda for the meeting.

COMMUNICATION FROM THE PUBLIC

Mr. Dan Newman 3172 Cleveland Massillon Road, Norton, Ohio, spoke about the baseball fields and the mess with the schedule and who is using these fields, he even asked the Chief of Police who would be given preference and he had replied first come and first serve. Mr. Newman asked who would take his \$25.00 for reserving the field for the next four games because that is all left in his son's schedule? Norton Baseball Association is using their leverage to block others from using the field. Mr. Newman stated that he questions how someone can do this with City owned property and felt this is wrong. Norton Baseball is not allowing this for whatever reason. Mr. Newman stated according to the City policy he wants someone to take is \$25.00 and he should get the field (see attached). The only thing that counts is this document. He has been trying to do this for a couple of months and no one will take his money or see that this is addressed. Mr. Newman stated he has an email that says it's \$75.00 Mrs. Carr stated this has been addressed in the last few weeks since she has been made aware of this. She has spoken with Mr. Newman, Norton Baseball Association Commissioner-Mr. Bosley- Mr. Newman's coach. Past history has been the fields were scheduled as a tradeoff for the Norton Baseball Association (NBA) maintaining the fields. Mrs. Carr stated there is nothing in writing to document any of this. Mrs. Carr stated we need time to work out these issues and she has received a schedule from Mr. Bosley. They did offer some times of Sunday. Mrs. Carr expressed concern about the \$75.00 fee coming into play as a public statement as this was something briefly discussed privately and she even told Mr. Bosley this amount is not possible or legal. Mr. Newman stated that the soccer teams took care of the fields and he knows that because his wife was in control of the soccer schedule. Mrs. Carr stated that those rules for soccer have changed within the last 6 months and she is trying to model the NBA rules in the same way. Mrs. Carr stated we need to get the proposals and we have to have control here. Mr. Newman stated that control is the whole problem because you will see in that proposal the NBA will take total control. Mr. Rodgers asked if the fields are truly empty and Mrs. Carr stated she has not monitored them. Mr. Newman stated if this worked as it was supposed to, every time there was a home game you would get that \$25.00 fee. Everyone stays after and takes care of the fields, we clean up, we pick up trash, etc. We just want to use the fields, we want to go in and play and then go home. Mr. Newman stated that again he will go to the field this Thursday and next Thursday and the fields will be open. Mr. Rogers stated if those fields are open then they need to be able to use them. Mrs. Carr stated that she has only been working on this for two (2) weeks since it became a problem and she is working on this history on how we got here. Mr. Rodgers stated that he does not care about the history. Mr. Rodgers directed the Administration to contact Mr. Bosley and if those fields are not being used then Mr. Newman's team should be able to use these fields.

Mrs. Carr explained that is what she is trying to do and that Mr. Newman just came to her this past Friday about this. Mr. Newman stated the people we are dealing with are lying to Mrs. Carr and he has the proof of that. Mr. Newman stated he wants the past history the schedules provided to him. Mrs. Carr stated we have had one meeting and a second meeting scheduled in June. Mr. Newman stated by then the season will be over. Mrs. Carr stated her goal is to rewrite the procedures, and the schedules. Mr. Rodgers directed the Administration to do what they can to get these kids some playing time as soon as possible. Mr. Rodgers stated we need to have Council involved in the final decisions going forward. Mr. Pierson asked if Mr. Bosley operates this as a business and bringing in dollars and questioned if he can prohibit the residents to use public property. Mrs. Carr stated we initially had some negotiations on the table that were offered and some open Sunday dates were offered and Mr. Newman was not happy with the schedule the NBA offered. Mr. Newman offered to pay for several dates in June. Mr. Tousley asked if Mr. Newman was correct if that is the only procedure and Mrs. Carr stated she has no idea because this just started into this issue two (2) weeks ago. She does not have a Parks Director or a full time scheduler, and she has lately been consumed with sewer issues. After more than twenty five (25) minutes of discussion Mrs. Carr explained the current procedure as by ordinance. Ms. Whipkey asked about other teams that have the same issue and Mr. Newman stated he was not sure; other teams are playing in Warwick area. Mr. Newman stated he does not want to move them off; he just wants to get time on the fields. Ms. Whipkey stated she does not want to hear another song and dance from other groups like Mr. Newman. Mr. Newman stated he was here on Saturday and both fields were empty. Ms. Whipkey stated as Property Chair she is asking Mr. Bosley to cooperate and provide schedules. Mrs. Carr stated Mr. Newman's coach has the same schedule that she has in her possession. Mr. Grether moved to allow Mr. Jack Gainer to speak, seconded by Mr. McGlone.

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

Motion passed 6-0.

Mr. Gainer, asked if the field is scheduled by Norton Baseball Association and it's not used is it being paid for? Mrs. Carr replied no. Mr. Gainer stated if Mr. Bosley is making out a false schedule to block off dates whether or not he uses them, then that is not right and that should not be allowed.

INTRODUCTION OF NEW LEGISLATION

ORD #33-2015 First Reading:

Mr. Rodgers offered Ord. #33-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE AND DIRECT THE MAYOR TO EXECUTE AND DELIVER AN AGREEMENT TO PROVIDE COMMUNITY CORRECTIONAL SERVICES WITH ORIANA HOUSE, INC., AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. Rodgers moved to adopt Ord. #33-2015, seconded by Ms. Whipkey.

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

Motion passed 6-0.

ORD #36-2015

Mr. McGlone offered Ord. #36-2015 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A MEMORANDUM OF UNDERSTANDING WITH THE NORTON CITY SCHOOL DISTRICT TO ESTABLISH A SCHOOL RESOURCE OFFICER PROGRAM, AND DECLARING AN EMERGENCY.

First reading only.

Mr. Rogers stated we had presentation by the School Board Superintendent and Chief Dalessandro and he shared a comment from the Norton Post regarding school board members about the salary increases (see attached). Mr. Rodgers stated these comments are troubling and sounds like we are trying to circumvent the will of the people. Mr. Rodgers stated that he questioned the costs of this SRO; we had opinions from Chief Dalessandro, and discussions with Mrs. Carr. He did some research of his own and a lot of communities across the country are using retired police officers for these positions. Mr. Rodgers stated his point is if the school can fill this position with a retired police officer at a savings of projected 50-60% of that \$40,000.00 cost, why not look at this? Mr. McGlone stated that we would be able to get a full time police officer at a cost of only 20-30% and remainder of time at the school is a benefit. Mr. Rodgers stated that if the safety at the schools is the issue, which he stated it was the issue for him; then you don't want to be moving that officer out of the school for any reason. Mr. McGlone stated he is just going by what Chief Dalessandro stated and he wanted these officers under him. Mr. McGlone stated he felt Chief Dalessandro should be here for these comments because Mr. Rodgers is stating everything opposite of what Chief Dalessandro proposed. Mr. Rodgers stated if other communities can do this, there has to be reasoning here and is a better solution. What is wrong with saving money? Ms. Whipkey stated she understood we would be getting a full time officer with benefits; of which 68% of that would be provided by the school. We would pick up 32% and whenever he is not working at the school he would be available to the City. She would prefer to have an officer that is accountable to the City directly and is accountable to the police department and be in charge of the safety inside the school. Mr. Rodgers stated he spoke with Chief Hete and he is willing to do this job for 50-60% less of what is being offered here. Mr. McGlone asked if the school board would even hire him? Mr. Rodgers stated if we can draw experience at a lesser cost and with all of the experience needed.

We need to think outside of the box, if we hired a rookie to do this job, what knowledge would they have of our City, of the school or the students? Ms. Whipkey stated this would not be a rookie from what she understood and would be someone already on the force. Mrs. Carr stated that to clarify it would go out as a job assignment and is done by seniority due to the union contract. Mr. Pierson stated you are never guaranteed grant money and they only run four (4) years. Mr. Pierson raised his concerns with the possibility of not getting grants in the future and we would have to find the funds within our budgets. Mr. Pierson stated that a system for us with the dollars we have to work with is better as a 1099 employee. Mr. Pierson stated he thinks the school can afford to do this. Mr. Pierson if there is an incident one officer is not going to be able to handle that. Mr. Pierson stated there should be a joint meeting with the School Board. Ms. Whipkey agreed, and wants to hear what the School Board has to say about hiring Mr. Hete into that position. Ms. Whipkey questioned if the \$34,000.00 a year was the maximum even before any grants received? Mr. Pierson stated he understood there is at least \$20,000.00 for the benefit package. Ms. Whipkey disagreed stating that adding the 68% is for everything. Mr. Pierson stated the past Council has been too eager to spend money we don't have. Mr. Rodgers stated he is all for children's safety, however if a gunman enters any one of our school all we will be able to do is react. Most of the school shootings are a reaction and not a prevention. Ms. Whipkey stated she has seen the deterioration with the behavior of the kids and with the presence of an officer this would help. Mr. Rodgers stated that when we have troubled kids they are pulled out our schools and are bussed to a program in Green. Mr. Tousley suggested having two (2) part-timers in the school and you still would not have benefits. Mr. Rodgers stated the Chief presented his budget without the need for another officer and now here we are. Mr. Rodgers stated he does not get it; progressive cities all across the country are doing this. Ms. Whipkey stated she would like to see a listing of all of these progressive cities and Mr. Rodgers stated you can Google search that information. Mr. Rodgers moved to table this and have the School Board come in here for the discussions; there was no second to his motion. Mr. Tousley asked about the percentages of 68% and questioned of the School Board approved this? Mrs. Carr stated that they have not taken a vote on this yet. She understands that the School Superintendent has discussed this with either some or all of the School Board members. Mr. Dunn indicated to her that the School Board Members were polled and willing to up the percentage to our 68% as we proposed. Mr. Rodgers stated there was a panel of existing teachers, and other faculty members and they are mostly not in favor and we can get that report from the school board. They do not want the money spent here; they want it used for training and more teachers. Mrs. Carr clarified the budget process and why Chief Dalessandro did not ask for another increase for another officer. Mr. Messner stated Chief Dalessandro had explained earlier he was good with the number of officers for 2015 and would need to address the 2016 needs. There was discussion as to the number of total hours for part time and Mrs. Carr replied that part time is considered at 29 hours or less and there are no benefits. Mr. Rodgers removed his motion.

Unfinished Business

None

New Business

Mr. Rodgers stated he knows we have a road program and are working with the county. He has received numerous complaints already and we as council need to do something to find more money in the budget to do more roads this year.

Mr. Rodgers discussed the complaint he received from a resident on Monterey and there is nearly a 10” drop and our roads are falling apart. Mr. Rodgers stated we have to find money; it’s not placating, we just need to gauge the level of severity of our roads. Mr. Rodgers stated that the residents have a right to be upset. Mr. Rodgers discussed the storm sewers mess that we need to address. Mrs. Carr stated she has been working on this with Mr. White on this very issue to address this year and we may need to borrow some funds to do that. Mr. Rodgers asked for a ballpark on addressing the area of Monterey Drive. Mr. White asked to have specific roads so he could take a look at this. Mrs. Carr reminded everyone we are waiting for the road study results. Mr. Rodgers stated if we could just put another \$150,000.00 towards roads, maybe Mr. Messner could bring this forward at the next meeting.

PUBLIC SERVICE ANNOUNCEMENTS

There were no announcements

PUBLIC UPDATES

There were no updates

ADJOURN

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:52 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 June 8, 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.