



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, JANUARY 12, 2009**

Roll Call:	Ken Braman	Also Present:
	Brenda Hlas-Excused	Mayor David Koontz
	Tom Jones	Rick Ryland
	Dennis McGlone	John Moss
	Bill Mowery	Pete Kostoff-Excused
	Scott Pelot	Karla Richards
	Mike Zita	Ann Campbell

The Regular Council Meeting convened on Monday, January 12, 2009 at 7:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Mike Zita, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE:

No discussions

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council meeting of December 8, 2008; Mr. Jones noted a correction to page # 4 under Ord. #105-2008, motion to adopt. It was Mr. Jones as the nay vote not Mr. McGlone. The minutes were approved as corrected.

Minutes of the Organizational Meeting of January 2, 2009 were approved as written.

Minutes of the Committee Work Session of January 5, 2009; Mr. Jones noted a correction on page #3 under the Legal Defenders Contract, the last sentence needs to completed with Mr. Jones seconding the motion. The minutes were approved as corrected.

COMMUNICATION FROM THE PUBLIC:

Ms. Charlotte Whipkey, a Norton resident, spoke regarding the article in the Barberton Herald last week. It's wrong. It states that the Issue #26 Appeal was denied, this is not true. Ms. Whipkey stated she would like a legal opinion made public from our Law Director or the other Attorney. Ms. Whipkey provided Council with a copy of a Notice of the Filing of the Record of the Court of Appeals as of January 8, 2009 (see attached). Ms. Whipkey stated this is a false statement coming from someone who calls herself the teller of whoppers. Ms. Whipkey stated the only thing that was denied was the motion for a stay. Council as a whole should demand a retraction in the Barberton Herald on the front page in bold letters that this was untruthful, in addition to an apology to the people of Norton. Ms. Whipkey discussed the proposed changes to Council Rules and not allowing the public to speak at Council meetings except for agenda items and said it is wrong. It's censoring, we don't have chances to talk that often. We, the people, pay to keep the lights on here and we had these same arguments here back last April. If you had placed this rule in order now, she would not have been permitted to discuss her complaint with the Barberton Herald as she did earlier. We need to be able to speak and should not be held to agenda items only.

PUBLIC HEARINGS-None

INTRODUCTION OF NEW LEGISLATION:

ORD #1-2009

Mr. Braman offered Ord. #1-2009 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO REZONE VARIOUS PROPERTIES IN THE AREAS OF GREENWICH ROAD AND CROYDON ROAD, NORTON, OHIO FROM R-1 ONE FAMILY RESIDENCE DISTRICT TO B-2 NEIGHBORHOOD BUSINESS DISTRICT.

First reading only.

ORD #2-2009

Mr. Jones offered Ord. #2-2009 for its first reading and asked the Clerk to read it:

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF HAZELWOOD AVENUE AND CONNECT ROAD BY CONSTRUCTING AND INSTALLING NEW WATER LINES, HYDRANTS AND ALL OTHER NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mr. Jones moved to waive the second and third readings, seconded by Mr. Braman.

Roll Call: Yeas: Jones, Braman, McGlone, Mowery, Pelot, Zita
Nays: None

Motion passed 6-0.

Mr. Jones moved to adopt Ord. #2-2009, seconded by Mr. Braman.

Roll Call: Yeas: Jones, Braman, McGlone, Mowery, Pelot, Zita
Nays: None

Motion passed 6-0.

RES #3-2009

Mr. Jones offered Res. #3-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION APPROVING THE REPORT OF THE ASSESSMENT EQUALIZATION BOARD ON OBJECTIONS CONCERNING THE ESTIMATED SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF HAZELWOOD AVENUE AND CONNECT ROAD IN THE CITY BY CONSTRUCTING AND INSTALLING WATER LINES, HYDRANTS AND RELATED IMPROVEMENTS AND ALL OTHER NECESSARY APPURTENANCES THERETO, COMPRISING THE HAZELWOOD AVENUE AND CONNECT ROAD WATERLINES PROJECT, AND DECLARING AN EMERGENCY.

Mr. Jones moved to waive the second and third readings, seconded by Mr. Braman.

Roll Call: Yeas: Jones, Braman, McGlone, Mowery, Pelot, Zita
Nays: None

Motion passed 6-0.

Mr. Jones moved to adopt Ord. #3-2009, seconded by Mr. Braman.

Roll Call: Yeas: Jones, Braman, McGlone, Mowery, Pelot, Zita
Nays: None

Motion passed 6-0.

ORD #4-2009

Mr. McGlone offered Ord. #4-2009 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO CONTRACTS WITH LEGAL DEFENDERS OFFICE OF SUMMIT COUNTY, OHIO, INC.

Mr. McGlone moved to waive the second and third readings of Ord. #4-2009, seconded by Mr. Pelot.

Roll Call: Yeas: McGlone, Pelot, Braman, Jones, Mowery, Zita
Nays: None

Motion passed 6-0.

Mr. McGlone moved to adopt Ord. #4-2009, seconded by Mr. Pelot. Mr. McGlone stated we do this every year. It is for indigent clients and we have to put this on the books.

Roll Call: Yeas: McGlone, Pelot, Braman, Jones, Mowery, Zita
Nays: None

Motion passed 6-0.

ORD #5-2009

Mr. McGlone offered Ord. #5-2009 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE ADVANCES FROM THE GENERAL FUND INTO VARIOUS FUNDS.

First reading only.

ORD #6-2009

Mr. McGlone offered Ord. #6-2009 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE TRANSFERS FROM THE GENERAL FUND INTO VARIOUS FUNDS.

First reading only.

ORD #7-2009

Mr. McGlone offered Ord. #7-2009 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE NOMINAL EXPENDITURES FOR REFRESHMENTS OR MEALS TO BE SERVED AT VARIOUS EVENTS, AND TO DECLARE AN EMERGENCY.

First reading only.

INTRODUCTION OF PRIOR LEGISLATION:

ORD #95-2008

Mr. McGlone offered Ord. #95-2008 for its second reading and asked the Clerk to read it:

AN ORDINANCE ADDING SECTION 208.05 TO THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO TO PROVIDE FOR THE USE OF REVERSE AUCTIONS TO AWARD CONTRACTS FOR SERVICES OR SUPPLIES, AND DECLARING AN EMERGENCY.

Mr. McGlone moved to waive the third reading, seconded by Mr. Pelot. Mr. Jones commented that this had a first reading back on November 10, 2008. Mrs. Richards clarified this was correct, adding that it was omitted from the following agendas by error.

Roll Call Yeas: McGlone, Pelot, Braman, Jones, Mowery, Zita
 Nays: None

Motion passed 6-0.

Mr. McGlone moved to adopt Ord. #95-2008, seconded by Mr. Pelot. Mr. Ryland indicated this is legally permitted under Ohio Revised Code. We did this on November 10, 2008 for the Berry & McGowan project and costs came in forty (40) percent under the Engineers estimates. We had great success with this internet program and the current project is nearly two-thirds complete. Buckeye Excavation is doing an excellent job and they know how to properly install the waterlines at a cost saving to everyone involved.

Roll Call Yeas: McGlone, Pelot, Braman, Jones, Mowery, Zita
 Nays: None

Motion passed 6-0.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Ryland stated we ordered 1200 tons of salt and we are at a crucial level in our salt supplies. Mr. Ryland cautioned everyone with the drop in temperatures, salt will not work very well with in 18 degree weather, the roads will become slick and everyone needs to drive cautiously. Mr. Ryland stated that so far this year we have depleted the overtime budget for the Service Dept. by forty (40) percent and it is only January. Mr. Ryland stated the Joint Dispatch Center opened this week in Copley and the changeover went relatively invisible to the communities. Mr. Ryland stated this pilot program would last one year, then we will decide how and where a joint facility would be located.

Mr. Moss stated the 2008 end of year has balanced, is closed out and the reports are complete.

UNFINISHED BUSINESS:

Mr. Jones inquired about the posting location in Ward 1. Mrs. Richards replied she was able to secure the Duke and Duchess Station at St. Rt. 21 and St. Rt. 261 and was able to post the notices there last Friday. Mrs. Richards also indicated this would be on the Committee agenda to discuss amending the legislation to reflect this change. Mr. Jones asked Mr. Ryland where we are with the Police Dept. negotiations and Mr. Ryland replied they are still ongoing. Mr. Jones asked how long this has been going on, and Mr. Ryland replied for about three (3) or four (4) months now. We are about to conclude the negotiations, and we are waiting for the Unions to get back to us so we can report to Council. Mr. Ryland stated that we think they will be very appropriate, and Mr. Jones added for the taxpayers, and Mr. Ryland concurred.

NEW BUSINESS:

Mr. Jones thanked the Service Dep. crew for the fine job on snow removal in Ward 1, they were out there night and day. Mr. Zita stated the entire city was well taken care of. Mr. Pelot stated he had guests visiting and they commented on how clear our streets in Norton were and complemented the Service Dept.

Mr. McGlone commented about the real estate appraisals and the rate change in the Mosquito District. Mr. McGlone stated we are not even informed about the rate change in advance, and they should not be able to do this without a vote of the people. In addition to this he noticed in the paper this week they are looking at hiring a part-time director. Mr. McGlone suggested when we look into the Health District Contract we also address this issue and put it on the agenda to discuss at that time.

Mayor Koontz discussed the huge need to bring infrastructure into the city and his office is working on bringing information to Council to consider a roll back of the income tax credit Mayor Koontz asked to have this on the Committee agenda next week for discussion. Mr. Pelot inquired if the Mayor had a specific percentage in mind and Mayor Koontz replied that there are a couple of options we would present and there would be a lot of consideration needed to be given to that.

PUBLIC SERVICE ANNOUNCEMENTS:

Mayor Koontz reminded everyone about the Norton Firefighters fundraisers to honor Luke Smolinski and to help Luke receive a Seizure Alter Dog. The fundraiser is on Sunday, January 18, 2009, from 1-4 PM at the Community Center (see attached). Mr. Pelot added they will be holding a raffle and if anyone has something to donate, please contact the Norton Fire Dept.

Mr. Zita reminded everyone that the Committee Meeting is on Tuesday instead of Monday because of the Martin Luther King Jr. Holiday.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:43 PM.

Mike Zita, 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 January 26, 2009.

Karla Richards, CMC-Clerk of Council

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

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