



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, NOVEMBER 9, 2009**

Roll Call: Ken Braman

Brenda Hlas

Tom Jones

Dennis McGlone

Bill Mowery

Scott Pelot

Mike Zita

Also Present:

Mayor David Koontz

Rick Ryland

John Moss

Pete Kostoff

Karla Richards

Ann Campbell

The Regular Council Meeting convened on Monday, November 9, 2009 at 7:02 PM, in the 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:**

There was no discussion.

**COMMUNICATIONS FROM THE PUBLIC:**

Mrs. Elaine Tompkins, a Norton resident, congratulated the newly elected Council members and thanked those leaving. Mrs. Tompkins reminded Council to address MAD in regards to the residents paying twice for this service. Mrs. Tompkins commented on various statements made at the last few meetings (see attached).

**CONSIDERATION OF THE MINUTES:**

Minutes of the Regular Council meeting of October 26, 2009 were approved as submitted. Minutes of the Committee Work Session of November 2, 2009 were approved as submitted.

**REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:**

Mayor Koontz presented Norton resident, Sarah Whitaker winner of the 2009 All American Soap Box Derby Stock Work Champion with a plaque. Mayor Koontz also swore into office Norton Fire Dept. Lt. Doug Barker and Lt. Andrew Howell, and Capt. Mike Copen. Mayor Koontz reported that the paving is progressing well along Cleveland-Massillon Road. Mr. Ryland reported that the leveling coating went on Cleveland-Massillon Road today. Mr. Ryland reported the waterline project on Cleveland-Massillon Road is moving along according to schedule and they plan to cap the wells at the school this week. Mr. Ryland congratulated the Lt.'s and Capt. Copen on their promotions. Mr. Ryland reported that the city plans to go out for bid for site improvement for the Fire Station on Dec. 3, 2009 with a bid opening on December 22, 2009. Mrs. Hlas asked what happened today at the middle school with an electrical shortage on the well? Mr. Ryland replied this was something minor, they dropped one of the phases of a phase three line, but everything is fine now. Mr. Kostoff thanked the residents for their approval of the Charter change relating to advertising for sale of municipal property, as this will be a cost saving to the community.

Mayor Koontz informed everyone there was a meeting held here last Friday with the representatives from New Franklin, Barberton, Chippewa Township, and AMATS to discuss Eastern Road. Mayor Koontz stated that part of this project is eligible for 80% funding through AMATS to fix the road. New Franklin has agreed to apply for that grant, but this would be a joint project to improve the road and do a study to see exactly what is needed. This project would encompass from Rt. 585 to Cleveland-Massillon Road. Mayor Koontz stated that even though this project is several years away, it is small and should move up on the AMATS listing. Mr. Pelot asked if there were any other projects in the works, and Mayor Koontz replied there are several other sewer and water projects that may dovetail into that in the future.

**PUBLIC HEARINGS:**

None

**INTRODUCTION OF NEW LEGISLATION:**

**ORD #100-2009**

Mrs. Hlas offered Ord. #100-2009 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF \$67,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY COSTS OF CONSTRUCTING, EQUIPPING AND OTHERWISE IMPROVING BALL FIELD IMPROVEMENTS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #100-2009, seconded by Mr. McGlone.

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

Motion passed 7-0.

**ORD #101-2009**

Mrs. Hlas offered Ord. #101-2009 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$270,022 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS AND THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO PAY THE COST OF CONSTRUCTING WATER MAINS, HYDRANTS AND RELATED IMPROVEMENTS AND ALL OTHER NECESSARY

APPURTENANCES THERETO, TOGETHER COMPRISING THE GARDNER BOULEVARD PHASE II PROJECT, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #101-2009, seconded by Mr. McGlone.

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

Motion passed 7-0.

**ORD #102-2009**

Mrs. Hlas offered Ord. #102-2009 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$136,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS AND THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO PAY THE COST OF IMPROVING HAZELWOOD AVENUE AND CONNECT ROAD BY CONSTRUCTING AND INSTALLING NEW WATER LINES, HYDRANTS AND OTHER APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #102-2009, seconded by Mr. McGlone.

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

Motion passed 7-0.

**ORD #103-2009**

Mrs. Hlas offered Ord. #103-2009 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$335,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS AND THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO PAY THE COST OF THE CONSTRUCTION AND INSTALLATION OF WATER LINES, HYDRANTS AND RELATED IMPROVEMENTS AND ALL OTHER NECESSARY APPURTENANCES THERETO, COMPRISING THE BERRY, MCGOWAN AND WADSWORTH ROAD WATERLINES PROJECT, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #103-2009, seconded by Mr. McGlone.

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

Motion passed 7-0.

**ORD #104-2009**

Mrs. Hlas offered Ord. #104-2009 for its first reading, and asked the Clerk to read it:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION, GRADING, CURBING AND PAVING MEADOWS LANE IN THE CITY AND THE CONSTRUCTION OF SANITARY SEWERS, WATER LINES, HYDRANTS, STORM SEWERS, UTILITIES AND ALL OTHER NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #104-2009, seconded by Mr. McGlone. Mrs. Hlas stated that the typo mentioned at last weeks Committee Work Session of July 2009 has been corrected to reflect July 2010.

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

Motion passed 7-0.

**ORD #105-2009**

Mrs. Hlas offered Ord. #105-2009 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$239,562 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS AND THE COLLECTION OF SPECIAL ASSESSMENTS TO PAY THE COST OF CONSTRUCTING, GRADING, CURBING AND PAVING MEADOWS LANE IN THE CITY AND CONSTRUCTING SANITARY SEWERS, WATER LINES, HYDRANTS, STORM SEWERS, UTILITIES AND ALL OTHER NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #105-2009, seconded by Mr. McGlone.

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

Motion passed 6-1.

**RES #106-2009**

Mrs. Hlas offered res. #106-2009 for its first reading, and asked the Clerk to read it:

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE TAX YEAR 2009 COLLECTIONS PAYABLE IN 2010 PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE.

First reading only.

**ORD #107-2009**

Mrs. Hlas offered Ord. #107-2009 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.

First reading only.

**ORD #108-2009**

Mrs. Hlas offered Ord. #108-2009 for its first reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF DONATED LAND BY RONALD L. LONG TO THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. McGlone. Mr. Mowery questioned the intended use of this parcel for a future pumping station in Ward 4. Mr. Ryland concurred adding that it has been indicated that a pumping station is needed in that area. However to say yes or no at this time is not prudent.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #108-2009, seconded by Mr. McGlone.

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

Motion passed 7-0.

**ORD #109-2009**

Mrs. Hlas offered Ord. #109-2009 for its first reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF THE PROPERTY LOCATED AT 3412 GREENWICH ROAD, BARBERTON, OHIO, INCLUDING ALL BUILDINGS AND APPURTENANCES THERETO AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third readings, seconded by Mr. McGlone. Mr. Jones added that Mr. Lindeman is present tonight and that he worked with Mr. Lindeman several years ago on Council. Mr. Lindeman is glad to be selling his home and downsizing and thanked Mr. Lindeman for that move.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #109-2009, seconded by Mr. McGlone.

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

Motion passed 7-0.

**INTRODUCTION OF PRIOR LEGISLATION:**

**RES #96-2009**

Mrs. Hlas offered Res. #96-2009 for its second reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE AN AGREEMENT BY AND BETWEEN THE AUDITOR OF THE STATE OF OHIO AND THE CITY OF NORTON TO PERFORM ACCOUNTING SERVICES FOR THE CITY OF NORTON FOR THE FISCAL YEARS 2009 THROUGH 2010, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the third reading, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Res. 96-2009, seconded by Mr. McGlone.

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

Motion passed 7-0.

**UNFINISHED BUSINESS:**

There was no unfinished business to discuss.

**NEW BUSINESS:**

Mr. Mowery gave a brief report on the status of the Bridgeway Homes, which is a group home on Shellhart Drive. Mr. Mowery stated Mr. Steve Weese owns this home in addition to a second all girls home in Sharon Center. Mr. Mowery indicated there have been issues in the past, but there has been a 180-degree turnaround. This home on Shellhart has been well maintained, well staffed, and is no longer a nuisance to the city. Currently there are seven (7) children in this home and there are more controlled children within the home. There have been no recent complaints with Children Services Board. Mr. Jones mentioned a street light out at the intersection of Grenfall Road and Easton Road, and asked Mr. Ryland to get with Dennis at Ohio Edison about this. Mr. Ryland replied that Dennis has retired but he does have a meeting with Ohio Edison in the morning and this would be addressed. Mr. Mowery stated that he met with Mr. Ryland about the Brentwood Estates waterline issue and the residents would be receiving a letter regarding the water main issues that may come up. Mr. Pelot asked for Councils thoughts about listing exactly how the Council member votes on the legislation instead of just 7-0. Mr. Kostoff stated that the Clerk list that information within the official minutes, however he has seen it done in other communities.

Mr. Kostoff stated he would look into this if so directed by Council and would check into the Charter as well. Mr. Pelot stated if Council has no objections he would like to at least look at this at the next work session, and there were no objections.

**PUBLIC SERVICE ANNOUNCEMENTS:**

Mrs. Hlas announced Panther Parents Booster Club Night at the Races, this Saturday; tickets are \$15.00 or if you cannot attend you can sponsor a horse for \$20.00, please see her for tickets after the meeting.

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:40 PM.

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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 November 23, 2009.

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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.