



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 23, 2009**

Roll Call: Ken Braman
Brenda Hlas
Tom Jones
Dennis McGlone
Bill Mowery
Scott Pelot-Excused
Mike Zita

Also Present:
Mayor David Koontz-Excused
Rick Ryland
John Moss-Excused
Pete Kostoff
Karla Richards
Ann Campbell

The Regular Council Meeting convened on Monday, February 23, 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:

Mr. Jones indicated he would be offering all of the re-appointments and resolution of appreciation this evening because Mr. Pelot was ill and excused.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council meeting of February 9, 2009 were approved as written.

Minutes of the Committee Work Session of February 17, 2009; Mr. Jones requested to add the following text to the middle of page #5, and asked the Clerk to read it: *Mr. Jones stated this would not just be for homes, it could be for any property within the city, and Mr. Ryland concurred. Mr. Jones stated one particular property that has been brought up recently is on Cleveland Massillon Road, across from Ritzman's Pharmacy and next to the school; the old Bishop Buick. Mr. Jones stated this is a piece of property that should be pretty valuable. Mr. Moss added he did not think you would see this property available to the bank banking system because you have business interest and people with money behind it and they would not want to see it go to the city for a song. Mr. Jones commented that it might eventually end up there.* The minutes were approved as amended. Mr. Zita noted this was not due to corrections or errors, it was amended because text was added.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Ryland reported that there was a head on collision accident on Summit Road last night in Norton. Mr. Ryland stated it was called out as a vehicle on fire, we responded and police were there. There was a gentleman involved in the accident that refused medical attention. Obviously admitted that he had been under the influence of alcohol. While in the holding cell in downstairs, he lost consciousness and has since passed away. It is under thorough investigation and he absolutely refused any attempts for medical attention offered. The Coroner is now assessing the situation and a press release will be sent out tomorrow. Mr. Ryland indicated the woman involved in the accident did not need any medical attention.

Air bags were deployed, however it is unfortunate the individual has passed away. Mr. Ryland commented that cleaning these roads is getting rather expensive. We have used our anticipated supply of salt, however we are not in danger of running out, or salt shipment was delivered recently. Mr. Ryland stated this is really cracking into our budget for the overtime. Mr. Jones inquired as to the exact location of the accident on Summit Road, and Mr. Ryland replied it was right at the Norton and Copley lines.

COMMUNICATIONS FROM THE PUBLIC:

Mrs. Neva Gibson, a Norton resident, and Chair of the Parks & Cemetery Board commented on the service of Mr. Frank Laury III. He was a wonderful member and had a lot to contribute and he would be missed. Ms. Gibson stated she looked forward to the service of Ms. Pam Dixon in the future.

INTRODUCTION OF NEW LEGISLATION:

RES #21-2009

Mr. Braman offered Res. #21-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 3296 CLUBSIDE DRIVE IN AN AGRICULTURAL DISTRICT.

First reading only.

RES #22-2009

Mr. Jones offered Res. #22-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR THE SERVICE OF FRANK P. LAURY III AS A MEMBER OF THE NORTON PARK AND CEMETERY BOARD.

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

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

Motion passed 6-0.

Mr. Jones moved to adopt Res. #22-2009, seconded by Mr. McGlone. Mr. Zita thanked Mr. Laury for his service.

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

Motion passed 6-0.

RES #23-2009

Mr. Jones offered Res. #23-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF TODD BERGSTROM TO HIS SECOND THREE-YEAR TERM AS THE WARD 1 REPRESENTATIVE ON THE

BOARD OF ZONING AND BUILDING APPEALS OF THE CITY OF NORTON AND
DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. Jones moved to adopt Res. #23-2009, seconded by Mr. McGlone.

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

Motion passed 6-0.

RES #24-2009

Mr. Jones offered Res. #24-2009 for its first reading, and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF BILL HELMICK TO HIS
SECOND THREE-YEAR TERM AS THE WARD 3 REPRESENTATIVE ON THE
BOARD OF ZONING AND BUILDING APPEALS OF THE CITY OF NORTON AND
DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. Jones moved to adopt Res. #24-2009, seconded by Mr. McGlone.

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

Motion passed 6-0.

Mr. Zita temporarily recessed the Regular Council Meeting in order to convene the Public
Hearing at 7:15 PM.

PUBLIC HEARINGS:

Mr. Zita convened the Public Hearing for the application for Agricultural District renewal at
7:15 PM.

Renewal for Agricultural District, 3296 Clubside Drive, Owner-William McKown

Mr. Zita called three times for anyone in favor to come forward; there was no response. Mr.
Zita called three times for anyone against the application, and there was no response.

Mr. Zita reconvened the Regular Council Meeting back to session at 7:16 PM

INTRODUCTION OF NEW LEGISLATION CONTINUED:

RES #25-2009

Mr. Jones offered Res. #25-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JANET JACOBS TO HER SECOND THREE-YEAR TERM AS THE WARD 2 REPRESENTATIVE ON THE PLANNING COMMISSION OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. Jones moved to adopt Res. #25-2009, seconded by Mr. McGlone.

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

Motion passed 6-0.

RES #26-2009

Mr. Jones offered Res. #26-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF MARK SPISAK TO HIS SECOND THREE-YEAR TERM AS THE WARD 4 REPRESENTATIVE ON THE PLANNING COMMISSION OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. Jones moved to adopt Res. #26-2009, seconded by Mr. McGlone.

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

Motion passed 6-0.

RES #27-2009

Mr. Jones offered Res. #27-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JOHN CONKLIN TO HIS SECOND THREE-YEAR TERM AS A REPRESENTATIVE ON THE PARKS & CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. Jones moved to adopt Res. #27-2009, seconded by Mr. McGlone.

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

Motion passed 6-0.

RES #28-2009

Mr. Jones offered Res. #28-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF SCOTT TESTATO TO HIS SECOND THREE-YEAR TERM AS A REPRESENTATIVE ON THE PARKS & CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. Jones moved to adopt Res. #28-2009, seconded by Mr. McGlone.

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

Motion passed 6-0.

RES #29-2009

Mr. Jones offered Res. #29-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF PAM DIXON TO HER FIRST FULL TERM AS A REPRESENTATIVE ON THE PARKS & CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mr. Jones moved to adopt Res. #29-2009, seconded by Mr. McGlone.

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

Motion passed 6-0.

RES #30-2009

Mr. Braman offered Res. #30-2009 for its first reading and asked the Clerk to read it:

A RESOLUTION DETERMINING TO ORGANIZE A COMMUNITY IMPROVEMENT CORPORATION.

First reading only.

ORD #31-2009

Mr. Braman offered Ord #31-2009 for its first reading, and asked the Clerk to read it:

AN ORDINANCE ADOPTING AND IMPLEMENTING THE PROCEDURES UNDER CHAPTER 5722 OF THE OHIO REVISED CODE TO FACILITATE REUTILIZATION OF NON-PRODUCTIVE LAND WITHIN THE CITY.

First reading only.

ORD #32-2009

Mrs. Hlas offered Ord. #32-2009 for its first reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE CITY OF BARBERTON CONFINEMENT SERVICES AND DECLARING AN EMERGENCY.

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

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

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #32-2009, seconded by Mr. McGlone. Mr. Jones asked Mr. Ryland to elaborate for the audience. Mr. Ryland explained this agreement is for the keeping of the Norton prisoners in Barberton. When we moved our dispatchers to the Joint Dispatch Center located in Copley, we have periods of time when no one is occupying the jail area or the Police Dept. This legislation allows for us to transport prisoners over to Barberton for holding. It does not mean our facility would no longer be used, we would use this to transport prisoners to Barberton that are more combative, like for domestic violence cases.

Mrs. Hlas added this is something we have been doing in the past, and Mr. Ryland concurred, adding this just formalizes it and puts it in writing. Mr. Jones stated that we have never had such an agreement before and Mr. Ryland concurred, these just set the terms and conditions for us.

INTRODUCTION OF PRIOR LEGISLATION:

ORD #13-2009

Mr. Mowery offered Ord. #13-2009 for its second reading and asked the Clerk to read it:

AN ORDINANCE AMENDING SECTION 452.13 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Mr. Mowery moved to suspend the third reading, seconded by Mrs. Hlas.

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

Motion passed 6-0.

Mr. Mowery moved to adopt Ord. #13-2009, seconded by Mrs. Hlas.

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

Motion passed 6-0.

RES #14-2009

Mr. Braman offered Res. #14-2009 for its second reading, and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 3456 SOUTH HAMETOWN ROAD IN AN AGRICULTURAL DISTRICT.

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

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

Motion passed 6-0.

Mr. Braman moved to adopt Res. #14-2009, seconded by Mrs. Hlas.

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

Motion passed 6-0.

RES #15-2009

Mr. Braman offered Res. #15-2009 for its second reading, and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 5040 FAIRLAND ROAD IN AN AGRICULTURAL DISTRICT.

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

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

Motion passed 6-0.

Mr. Braman moved to adopt Res. #15-2009, seconded by Mrs. Hlas.

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

Motion passed 6-0.

RES #16-2009

Mr. Braman offered Res. #16-2009 for its second reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 4903 HAMETOWN ROAD IN AN AGRICULTURAL DISTRICT.

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

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

Motion passed 6-0.

Mr. Braman moved to adopt Res. #16-2009, seconded by Mrs. Hlas.

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

Motion passed 6-0.

RES #17-2009

Mr. Braman offered Res. #17-2009 for its second reading and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND LOCATED AT 3856 GREENWICH ROAD IN AN AGRICULTURAL DISTRICT.

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

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

Motion passed 6-0.

Mr. Braman moved to adopt Res. #17-2009, seconded by Mrs. Hlas.

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

Motion passed 6-0.

RES #18-2009

Mr. Braman offered Res. #18-2009 for its second reading, and asked the Clerk to read it:

A RESOLUTION TO APPROVE THE RENEWAL FOR PLACEMENT OF FARMLAND
LOCATED AT 4359 JOHNSON ROAD IN AN AGRICULTURAL DISTRICT.

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

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

Motion passed 6-0.

Mr. Braman moved to adopt Res. #18-2009, seconded by Mrs. Hlas.

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

Motion passed 6-0.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Mr. Jones asked Mr. Ryland if he received his memo regarding Lakeland Road? Mr. Ryland replied no he did not, you are using that crazy Vista format and it will not open with our programs. Mr. Jones indicated he would make sure Mr. Ryland received a copy.

PUBLIC SERVICE ANNOUNCEMENTS:

Mr. Ryland announced the dates for taxpayer assistance with CCA (see attached)

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:34 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 February 23, 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.