



NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, SEPTEMBER 27, 2004

Roll Call:	John Conklin	Also Present:	Mayor Kernan
	Brenda Hlas		Claude Collins
	Bill Mowery		Jeanne Zerga
	Dennis McGlone		Jeff Pritchard
	Scott Pelot		Mike Lyons
	James Price		Karla Richards
	Mike Zita		

The Regular Council Meeting convened for a meeting on Monday, September 27, 2004 at 7:01 PM in the Council Chambers of the Safety Administration Building. The meeting was called to order by John Conklin, President of Council. Following a salute to the flag and the pledge of allegiance, there was a moment of silent prayer.

COMMITTEE OF THE WHOLE:

Mr. Mowery reported from the Safety Committee regarding the success of the Cider Festival. Everything went very well, no incidents or accidents, and there was a good turnout. Mr. Mowery stated that he was unable to reach Mr. Bob Indian-State Health Dept. regarding the cancer cluster study that was done on Grenfall Road. Mr. Mowery indicated that he is trying to get more clarification on the study for those residents. Mr. Mowery stated the City has received a letter from Mr. & Mrs. Weese regarding the Bridgeway Group Home. Mr. Mowery commented on all of the factual comments he received regarding incidents with various Norton residents. Mr. Mowery stated that these are real incidents, including his own and what happened within his family, this is no secret and all documents are open to the public. Mr. Mowery indicated he has contacted the Sharon Township Trustees, the Copley Township Trustees, and he is working on getting in touch with the Summit County Sheriff. Mr. Mowery indicated that he has attempted to contact Mr. Steven Weese Jr., the proprietor of the Hametown Road group home, he was told Mr. Weese Jr. works at the Children Services Board, and was unable to reach him so far.

CONSIDERATION OF MINUTES:

Minutes of the Regular Council Meeting of 13, 2004-Accepted as written
Minutes of the Committee of the Whole Meeting of September 20, 2004-Accepted as written

COMMUNICATIONS FROM THE PUBLIC:

Mr. Conklin reminded everyone that this is a City of Norton Council meeting, he does not expect to have any problems from the audience, when you are at the podium you will have five minutes to speak.

Mrs. Shirley Weese, 3432 Shellhart Road, Norton, Ohio. Mrs. Weese read a statement regarding her concerns about the comments made about their group homes. (See attached statement).

COMMUNICATIONS FROM THE PUBLIC CONTINUED:

Ms. Amy Addis, 2694 Silver Springs Drive, Norton, Ohio. Ms. Addis read a statement regarding her knowledge as former Mayor on the problems with this group home. (See attached statement).

Mr. James Dudek, 1691 Sharon Copley Road, and Trustee of Sharon Township. Mr. Dudek explained that he is here tonight to gather information on a similar situation in Sharon Township. Mr. Dudek stated that this operation does not fit into a “residential environment” and that their Prosecutor is looking into this. Mr. Dudek stated that he would like to see the City of Norton cooperate with Sharon Township officials to resolve this situation.

Mr. Joe Brosch, 487 Crestmont Court, Copley, Ohio spoke on behalf of the residents of Copley and Sharon Townships. There have been 52 incidents that the Sheriff’s Dept. had to respond to. Mr. Brosch explained their concerns are really for the children and feel that these children are just being warehoused. They are not being rehabilitated. Mr. Brosch stated that they are willing to help Norton in any way and supported our efforts.

Ms. Karen Knapp, 3832 Croyden Road, Norton, Ohio spoke regarding an incident last year with the one of the boys. A boy knocked on their door wanting to buy a bike, which her husband told him there were no bikes for sale here. In August one of the boy’s came to the garage and stole her sons bike while they were home cutting the grass. They were able to recover the bike, but she had concerns about not being able to leave your garage doors open during the daytime.

Ms. Linda Carter, 3395 Clubview Drive, Norton, Ohio spoke regarding her concerns about lack of supervision at the home. They see the boys wondering around during all times of the day and night. They cut through her yard, and she has nicely asked them not to do this, and they argue with her. This has occurred several times. There was also an incident involving a yard sale, where some of the boys were trying to sell jewelry. Ms. Carter stated that when her husband is not around, she is afraid to be home alone.

Ms. Sandy Tomer, 3441 Clubview Drive, Norton, Ohio spoke regarding the children at the home. Ms. Tomer reflected to an incident involving one boy asking to shovel snow in their driveway, after her husband had just done this. The boy stated that his mom was in the hospital and he wanted to buy her something, and asked for money. In the spring of 2001, two boys came into her yard and opened both of the gates on her property, and let the dogs out. These boys actually bragged on the school bus about what they had done. They returned a few days later and vandalized the gated area, hitting her dog in the head with one of the fence posts. Ms. Tomer had concerns with the fact that Norton has two registered pedophiles and these kids are wondering around all the time when they should be in school. Ms. Tomer spoke about one boy walking to school in subzero weather wearing only a windbreaker. She stopped and gave him a ride to school, and when asked about his jacket, he replied this was all he had. Ms. Tomer stated that she has real concerns for the safety of the kids as well as the residents. They need supervision and a family environment 24/7.

Ms. Neva Gibson, 3301 Higgins Drive, Norton, Ohio spoke about her experiences with children from this home. As an employee of the school, she recalls Mr. Weese being called at 9:00 AM to come and pick up a sick child, and did not arrive until after 1:00 PM. Ms. Gibson reflected to another time during a sever lightening and thunder storm two boys showed up on her porch at 10:00 PM, soaking wet and asked to use her phone to call Mr. Weese. The boys told her they waited at Café 4111 for Mr. Weese to pick them up, but he never showed.

COMMUNICATIONS FROM THE PUBLIC CONTINUED:

Ms. Gibson stated that they started walking home and got caught in the storm. Ms. Gibson personally called Mr. Weese to come and get them. Mr. Weese stated he would have someone from the Bridgeway Home come and get them right away. She waited approximately forty-five minutes to one hour until Mr. Weese came to pick them up. Ms. Gibson stated she knows some of these boys from school and cares about them a lot. Some of these children have great potential and they deserve the proper care and guidance. Ms. Gibson observed one 5th grader wondering the halls after a Christmas Program a few years ago. When she approached the boy he stated he was looking for a phone to call someone for a ride. He stated that he invited the Weese's to the program and take him home, but they did not come and he was so disappointed. This same boy was also kicked off of the bus, and was told he has to walk to and from school. Ms. Gibson recalled one of her neighbors who is handicapped found one of the boys in her opened garage, and she was very frightened, and is now afraid to go out by herself and will not leave her garage opened. Ms. Gibson encouraged all of Council to contact her to discuss this situation further.

Mr. Richard P. Nagy, 755 S. Medina Line Road, Copley, Ohio, and lives directly across the street from the home. Mr. Nagy recalled an incident a few years ago when someone rang their doorbell at 10:30 PM. When he looked out the window there were two boys, stark naked standing on their front porch. He attempted to go outside, but his wife encouraged him not to. They watched, waited, and the boys were laughing, and carrying on and slowly walked across the street to the home. Mr. Nagy stated that this is only one of several incidents that have been documented through the Sheriff's Department. Mr. Nagy stated he felt there is no supervision at all in this home, and was concerned that whoever is working there needs to be certified and a full background check should be done on the staff.

Mr. William Paluch, 3740 Shellhart Road, Norton, Ohio spoke regarding his concerns about the lack of supervision, and that someone needs to do a very thorough investigation on these homes. Mr. Paluch has seen these children out and about with no supervision. He feels it is time to put an end to this now before someone gets hurt. Lets do something now and not wait for something terrible to happen.

Mr. Dale Nelson, 3144 Rosebay Blvd., Norton, Ohio spoke and invited all of Council to come to his home and take a look at the property owned by Summit County Councilman Tim Crawford. Mr. Nelson stated this problem started three years ago, and this past weekend our Building Dept. authorized a temporary occupancy permit to be open for the Cider Festival. It has been condemned for over two years. Mr. Nelson wanted answers as why this was permitted in the first place. Mr. Nelson stated he has contacted Mayor Kernan asking him when is he going do something about it. Mr. Nelson stated that Mayor Kernan told him he has done more in the nine months in office that the two predecessors had done in twelve years. Mr. Nelson stated that he also contacted Mr. Arters and asked him why this was allowed. Mr. Arters stated he had made a mistake, that the building is really not that bad. Mr. Nelson stated that he has thirty-five years in the construction trade, and knows something about buildings and their structure. Mr. Nelson went on to explain the deplorable conditions of the building. Mr. Nelson stated that just today, he met with Mr. Collins and was told that if you got a problem, go to Summit County Council and Tim Crawford. Mr. Nelson stated that this is Norton's problem, not Summit County. Mr. Nelson wanted an answer as to who gave Mr. Arters permission to open the condemned building, and asked Mayor Kernan where is all his work he has done in these nine months?

COMMUNICATIONS FROM THE PUBLIC CONTINUED:

Mr. Nelson claimed an ethics violation, and accused the city of favoritism towards Mr. Crawford, adding that maybe someone is telling you to back off. Mr. Conklin cautioned Mr. Nelson to be careful with his allegations and comments.

Mr. George Tomko, 2525 Reimer Road Ext., Norton, Ohio discussed the Cider Mill and was under the impression that only part of the building was condemned. Mr. Tomko raised an issue with the Parks Ordinance, Section #6 where it refers to prohibiting selling in the parks. Mr. Tomko asked if the Corn Roast and Ice Cream Socials would still be permitted, since the Historical Society does sell tickets for these events. Mr. Tomko asked if they would be permitted to continue this? Mr. Tomko also spoke regarding Ordinance #114-2004, and the comments at the last committee meeting about the money sitting in checking account, and that the city is earning interest on that money. Mr. Tomko wanted to know the difference between the interest rate charged on the loan/note and the amount of interest that is paid on that account, and felt that it may not be fair to the people at Johnson Meadows. Mrs. Hlas responded to Mr. Tomko's issue with Park Rules, and advised him that this would be allowed with the approval of the Director of Public Service as stated in the ordinance.

Ms. Maggie Abbott, 3509 Weyrick Drive, Norton, Ohio. Ms. Abbott stated that a Political Action Committee (PAC) called Citizens for Norton's Future has been formed to promote the passage of Issue #40, which is the ½ % income tax increase. Ms. Abbott stated that she (as treasurer) and Ms. Karen Miller are raising funds to promote Issue #40. The Committee will be passing around handouts, advertising, signs, etc. Ms. Abbott stated that their goal is to make the citizens aware of the importance of the passage of this income tax. Ms. Abbott made it clear that if a Norton resident pays income tax to another city, all of that money stays within that city, NOTHING comes back to Norton. If a resident of Norton lives in retirement funds only, this will NOT affect them. The ½ tax increase only affects the approximately 12% of the residents of Norton. If you would like to help, please contribute to the PAC and mail donations to her at 3509 Weyrick Drive, Norton, Ohio. Please feel free to contact her or anyone in Administration or our Finance Director if you have questions.

INTRODUCTION OF NEW LEGISLATION:

ORD #106-2004

Mr. Price offered Ordinance #106-2004 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO ESTABLISH FUND ACCOUNTS, TO APPROPRIATE AND TRANSFER CERTAIN FUNDS, AND TO DECLARE AN EMERGENCY.

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

Roll Call: Yeas: Price, Hlas, McGlone, Mowery, Pelot, Zita, Conklin
Nays: None

Motion passed 7-0.

Mr. Price moved to adopt Ordinance #106-2004, seconded by Mrs. Hlas. Ms. Zerga stated this ordinance creates accounts within the 2004 Budget. It accounts for the permissive funds the city receives from the State of Ohio. This would also approve the transferring of these funds from our Fund #104 to the Service Fund and State Highway Fund.

INTRODUCTION OF NEW LEGISLATION CONTINUED:

ORD #106-2004-CONTINUED

Ms. Zerga stated that she is also requesting that we create an account in the current Budget for the permissive funds that we receive annually. In addition we will be creating an account for repairs on Barber Road, and an account for the payment of vests for the Police Department under a grant that has been received.

Roll Call: Yeas: Price, Hlas, McGlone, Mowery, Pelot, Zita, Conklin
 Nays: None

Motion passed 7-0.

ORD #114-2004

Mr. Price offered Ordinance #114-2004 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$524,000 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 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.

Mr. Price moved to suspend the second and third reading, seconded by Mrs. Hlas.

Roll Call: Yeas: Price, Hlas, McGlone, Mower, Pelot, Zita,
 Abstain: Conklin
 Nays: None

Motion Passed 6-1-0.

Mr. Price moved to adopt Ordinance #114-2004, seconded by Mrs. Hlas. Mrs. Zerga stated that this is for the Johnson Meadows Project. It was requested that the city would borrow the \$510,000.00 to put the road in. At that time, it was also discussed this would be for five years. Every year when the note comes due that interest would be capitalized and rolled into the note. At the end of this project either the note including all expenses for the Johnson Meadows Project would pay for interest incurred for this project, or it will be put into special assessments. There is no out of pocket expenses for the City of Norton. We do earn interest on that money, and it is invested in a C.D. The interest that is earned is for the City of Norton and not for the project. Ms. Zerga also stated that when the city was first petitioned by the Johnson Meadows Project, they were aware of this and knew there would be interest and expenses incurred for the project.

Roll Call: Yeas: Price, Hlas, McGlone, Mower, Pelot, Zita,
 Abstain: Conklin
 Nays: None

Motion passed 6-1-0.

INTRODUCTION OF NEW LEGISLATION CONTINUED:

RES #115-2004

Mr. Price offered Resolution #115-2004 for its first reading, and asked the Clerk to read it:

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER.

Mr. Price moved to suspend the second and third readings, seconded by Mrs. Hlas. There was some discussion as to why it was necessary to suspend readings on a resolution. Mrs. Hlas felt it was necessary because we are also stating the facts. Mr. Conklin stated that we need to have more clarification on resolutions, and if suspension of other readings is necessary.

Roll Call: Yeas: Price, Hlas, McGlone, Mowery, Pelot, Zita, Conklin
 Nays: None

Motion passed 7-0.

Mr. Price moved to adopt Resolution #115-2004, seconded by Mrs. Hlas. Mr. Price asked Mrs. Zerga to explain this resolution. Mrs. Zerga stated that this is an annual resolution that is adopted by the city, which allows the County to collect the inside, and outside millage for 2005 property taxes.

Roll Call: Yeas: Price, Hlas, McGlone, Mowery, Pelot, Zita, Conklin
 Nays: None

Motion passed 7-0.

ORD #108-2004

Mr. Pelot offered Ordinance #108-2004 for its first second, and asked the Clerk to read it.

AN ORDINANCE TO AMEND SECTION 1250.04 OF THE CITY OF NORTON ZONING CODE TO ADD WHEELCHAIR ACCESSIBILITY RAMP TO THE DEFINITIONS.

Second reading only.

ORD #109-2004

Mr. Zita offered Ordinance #109-2004 for its second reading, and asked the Clerk to read it.

AN ORDINANCE TO AMEND CHAPTER 1066 OF THE CITY OF NORTON CODIFIED ORDINANCES TO FURTHER REGULATE CITY PARKS AND TO REPEAL SECTION 618.16 OF THE CITY OF NORTON CODIFIED ORDINANCES.

Second reading only.

CONSIDERATION OF PRIOR LEGISLATION CONTINUED

ORD #110-2004

Mrs. Hlas offered Ordinance #110-2004 for its second reading, and asked the Clerk to read it.

AN ORDINANCE TO AMEND THE CITY OF NORTON ADMINISTRATIVE CODE UTILITIES REGULATIONS TO REGULATE UNPAID WATER ACCOUNTS.

Second reading only.

ORD #111-2004

Mrs. Hlas offered Ordinance #111-2004 for its second reading, and asked the Clerk to read it.

AN ORDINANCE TO AMEND THE CITY OF NORTON ADMINISTRATIVE CODE UTILITIES REGULATIONS TO REGULATE UNPAID SEWER ACCOUNTS.

Second reading only.

ORD #104-2004

Mr. Pelot offered Ordinance #104-2004 for its third reading, and asked the Clerk to read it.

AN ORDINANCE TENTATIVELY APPROVING THE PRELIMINARY PLAT OF THE MAJOR SUBDIVISION PROPOSED BY MESSRS. LASKO KNOWN AS LASKO'S COUNTRY ESTATES, PPN #4608001 AND PPN #4608002 AND GENERALLY LOCATED ON FAIRLAND ROAD, NORTON, OHIO.

Mr. Pelot moved to adopt Ordinance #104-2004, seconded by Mrs. Hlas. Mr. Mowery stated that he felt Mr. Lasko has done a good job at presenting this application for subdivision. Mr. Mowery stated that this has been a dream of Mr. Lasko for some time and would be a plus for the city.

Roll Call: Yeas: Pelot, Hlas, McGlone, Mowery, Price, Zita, Conklin
Nays: None

Motion passed 7-0.

ORD # 105-2004

Mr. Pelot offered Ordinance #105-2004 for its third reading, and asked the Clerk to read it:

AN ORDINANCE TENTATIVELY APPROVING THE PRELIMINARY PLAT OF THE MAJOR SUBDIVISION PROPOSED BY RONDY CO., INC./ROBERT SCHNEE JR., KNOWN AS BERKSHIRE GOLF COURSE COMMUNITY, PPN #4604964, PPN #4604965, PPN #4604968, PPN #4605102 AND PPN #4605103 AND GENERALLY LOCATED ON THE S. E. QUADRANT OF GREENWICH ROAD AND MEDINA LINE ROAD, NORTON, OHIO.

Mr. Pelot moved to adopt Ordinance #105-2004, seconded by Mrs. Hlas. Mr. Pritchard stated that today he received a letter from AMATS regarding the review of the development. Essentially they indicated that GBC Associates has good numbers in their traffic report. However, being that this is such a large project, in the future we will need to consider turn lanes on Greenwich, and will also need to take a look at drive #4 on Medina Line as a potential turn lane.

CONSIDERATION OF PRIOR LEGISLATION CONTINUED:

ORD. #105-2004 CONTINUED:

AMATS has also suggested that we take into consideration the widening of Medina Line Road, because of its narrow size. They also commented on the area of Medina Line & Greenwich and concerns of safety features where the road dips down a bit near the intersections. This area may need to be monitored and or improved at some point down the road. Mr. Ray Hanley, representing Alpine Design & Development Corporation spoke regarding this letter from AMATS, and most of the issues already appear on their drawings. The issues which take effect in the next five to ten years down the road, they feel can be worked out with the City of Norton and the supporting agencies, and fully intend to cooperate at that point in time. Mr. Hanley did question the legal language in this ordinance, and the fact that Alpine Design & Development is not listed in the actual ordinance. Mr. Lyons stated that technically Rony Company & Robert Schnee Jr., are still the current property owner. Mr. Lyons stated as the owner, they are the ones who apply and they have given you the authority to apply on their behalf. Mr. Lyons stated he felt there was no problem with the way it is worded, and that Alpine Design & Development Company would succeed with the approval granted, adding that the purchase of this land is contingent upon approval by Council, which you will have. Mr. Pelot clarified that Mr. Hanley was giving his guarantee that based on the letter from AMATS that you will take of any safety and/or traffic hazards that may arise. Mr. Hanley stated that they would take care of the initial ones in the first phases. There are issues with other surrounding developments that will impact this area in the near future and we will participate and work with the City financially to help make it work. Mr. Mowery stated that this a ten-year project, and will not happen overnight. Mr. Mowery commented on how available and informative Mr. Hanley & Mr. Pritchard have been when there were questions or concerns on this project, and thanked them both.

Roll Call: Yeas: Pelot, Hlas, McGlone, Mowery, Price, Zita, Conklin
Nays: None

Motion passed 7-0.

REPORTS FROM OFFICERS, BOARDS & COMMISSIONS:

Mayor Kernan stated that the Cider Festival went very well, and we had great weather. Mayor Kernan stated that he expects to have the legislation ready for Council to review regarding the Barber Road tap in fees, and what the Administration is recommending. Mayor Kernan stated that hopefully this could be on the next Committee of the Whole agenda. Mayor Kernan informed everyone regarding the issues on the cider mill. Mayor Kernan stated he received a call from Mr. Nelson, and he did ask what was going on. Mayor Kernan stated that he thought it had been turned over to our Law Director for review, but would check this out for him. Mayor Kernan stated that it still is with our Law Director, but the real issue here is that our Building Code weak when it comes to condemned property. Mayor Kernan stated he understands one portion of this building is condemned and that portion was closed to the public Mr. Crawford had called Mayor Kernan, but he was not able to get back to him right away. By that time, Mr. Crawford had already met with Mr. Arters and asked him to consider looking and the building to see if it could be opened to the public just for the Cider Festival. Mr. Arters contacted Mayor Kernan for his direction and Mayor Kernan indicated that he felt we should offer the same courtesy to Mr. Crawford as we would to anyone else in the city. Mayor Kernan stated that he did not direct Mr. Arters to open or close the building, it was his call as Building Inspector.

REPORTS FROM OFFICERS, BOARDS & COMMISSIONS:

Mayor Kernan stated that Mr. Arters informed him that he did inspect the building, Mr. Crawford had made some changes, and that he closed off the condemned portion, and that a two-day occupancy permit was given. Mayor Kernan stated that he stands behind the actions of Mr. Arters, Mr. Collins and everyone in Administration. There was nothing done incorrectly or unethical. No one is being paid off or receiving special favors. We are continuing to work with Mr. Crawford and if he can get it fixed then great, if he cannot then we will have to take the appropriate legal actions. Mr. Nelson continually attempted to speak again on this issue, and Mr. Conklin warned him that he was out of order and already had his five minutes to speak. Mr. Nelson again attempted to rebuke Mayor Kernan's comments, and Mr. Conklin warned Mr. Nelson to be quiet or he would call for police and have him escorted out. Police did arrive a few minutes later, and Mr. Nelson had regained his composure and was not removed from the building.

Mr. Binic of the Barberton Health District gave brief report on the Pander property, which on September 16, 2004 was finally cleaned up. Mr. Binic commended the work of Mike Mosher of the Health District Staff for his efforts and patience in this project, he really fought the battle for us. Mr. Binic also thanked Mayor Kernan, Colene Conley, Claude Collins, Russ Arters, and Police Chief Carris for all of their help on this project as well as Butcher & Sons Excavating for the clean up work. Mr. Binic thanked the Summit-Akron Solid Waste Authority, Yolanda Walker and Marcie Kress for their funding of this clean up. The \$7,000.00 tab will be attached to this property as a lien. Mr. Binic gave an update on the property on Huston Street owned by Sherwin & Janet Matney. This case also involves a felony for open dumping. Judge Hunter of Summit County Common Pleas Court held an evidence suppression hearing last week. They were subpoenaed to this hearing to provide testimony, and Judge Hunter has not made a ruling just yet. Mr. Binic stated that Mr. Crawford was selling cider at the festival, but the cider was not from his mill, it was produced and processed at another licensed mill, which is acceptable according to their regulations.

OLD BUSINESS:

Mr. Pelot spoke about the Berkshire Golf Course Community and with the size of this development we really need to focus on the Comprehensive Plan for the city. We need to take a really serious hard look at where we are going.

NEW BUSINESS:

None

PUBLIC SERVICE ANNOUNCEMENTS:

Mrs. Hlas stated that ODOT will hold a public hearing on October 5, 2004 5-7 PM the Norton Library in regards to Rt. 21 bridge repairs. Mrs. Hlas stated that she dropped off ten letters to the immediate area on Reimer Road to notify them. Mrs. Hlas stated that if you live on Greenwich Road and are unable to attend, contact your Councilperson. Mrs. Hlas stated that there are some problems with the natural gas aggregation letters to residents. Mrs. Hlas stated that in her ward she has the following zip codes: 44321, 44203, 44281. About ten residents have a Wadsworth zip code, and all of Frashure and part of Summit have a Copley zip code. The Gas Aggregation Company has decided not to address anyone who lives outside of the Norton 44203 zip code. She contacted the company and they will address these residents differently. Those residents will be offered an opt IN program. Mrs. Hlas stated that if you have a zip code that is not 44203 and you have not been contacted, you need to contact either her or Claude Collins and they would provide you the contact to opt in.

Mrs. Hlas stated that current price is \$8.56 per MCF and if you are paying more than this, you need to contact us to get set up for the better rate. Mrs. Hlas discussed the ongoing problems with the cider mill, and understands what Mr. Arters did. But she has a problem with the fact that she has been dealing with this since January 2002 and wished that she were informed as to what took place. Mrs. Hlas gave a brief timeline of all that has been going on since she has been on Council from February 2002, till now. Mr. Crawford was reported as stating that first he is going to fix it, then it was too expensive, and then he decides to take the roof down. Then there was delay with the contractor, etc. etc. Mrs. Hlas stated that she is tired of all the ups and downs with this property and wants this addressed and done with. Make a decision and stick with it, follow it, and if he does not want to repair it, fine. But if he wants to repair it that's fine, just make sure it gets done in a timely manner. This has now turned into a Maintenance Code issue, and the code states that the Supt. of Building & Zoning can make the call. Mrs. Hlas commented on why this is still being reviewed by our Law Director nearly a year later. Mrs. Hlas stated that she wants this issue addressed within the next thirty days, and follow through with, once and for all and be done with it.

Mr. Mowery raised the question if someone were to have been hurt, where would the city be as far as a liability issue, and would we be covered for something like this. Mr. Lyons stated that the Building Inspector is to determine the safety of the structure. Mr. Lyons stated that at no time was the main building determined to be unsafe, it was the attached building. Our enforcement action would be to remove that portion of the building. As far as the liability question, we assume no responsibility for people in the building. There was further discussion on this issue and Mr. Conklin stated that he would like to see this historical building remain as part of this history of this town, and it would be a shame to see it get destroyed because of this issue. This is the second or third oldest building in the city.

ADJOURN:

There being no further business to come before it, Council adjourned the meeting at 8:44 PM.

John Conklin, President of Council

I, Karla D. Richards, Clerk of Council of the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Meeting of Council, held on Tuesday, October 12, 2004.

Karla D. Richards, Clerk of Council

****THESE MINUTES ARE NOT VERBATIM. THE AUDIOTAPE WILL BE ARCHIVED IN
THE CLERK OF COUNCIL'S OFFICE****