



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, FEBRUARY 14, 2005**

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

The Committee of the Whole convened for a meeting on Monday, February 14, 2005 at 7:01 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Brenda Hlas, President of Council.

COMMITTEE OF THE WHOLE:

Mr. Price indicated that we would be doing a first reading only of Ord. #1-2005, and Ord. #2-2005 tonight, at the request of our Law Director to get additional information regarding the fee structure.

Mr. Mowery discussed the request from Mr. Tomko to make the English language the official language for the City of Norton. Mr. Mowery indicated that he spoke with Mr. John Valle-Clerk of Council for the City of Akron and will be working with him and our Law Director on this. Mr. Mowery discussed the drainage/grading problems with the Knollbrook allotment. Mr. Mowery indicated that he spoke with Mr. Cavanaugh and Mr. Cavanaugh will work on solving the issues. Mr. Mowery indicated that the Community Health Care Center recently opened a new home called Nella Manor on Market Street. This is an updated apartment complex that was completely filled within two weeks of receiving applications. Mr. Mowery discussed the Administrations actions regarding the MPO and lifting the pay freeze. Mr. Mowery stated that he felt this was a bad move on their part and does not agree with it. Mr. Mowery stated that by lifting the pay freeze, the end result could be layoffs. Mr. Mowery discussed his request for the total debt the city, which he thought he received incomplete information. Mrs. Zerga stated that she did provide all of the information Mr. Mowery requested. Mr. Mowery suggested this issue be discussed at an upcoming Committee of the Whole meeting. Mr. Mowery indicated that he would like to discuss the MPO and changes in the language to bring the control back to Council, at the next Committee of the Whole meeting.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council meeting of January 24, 2005-Approved as written

Minutes of the Committee of the Whole meeting of February 7, 2005-Approved as written

PUBLIC HEARING:

AN ORDINANCE RECLASSIFYING PROPERTY KNOWN AS 4210 SOUTH HAMETOWN ROAD, NORTON, OHIO (P.P.N. 4602779) FROM RU-1 RURAL RESIDENTIAL DISTRICT TO R-1 ONE-FAMILY RESIDENTIAL DISTRICT.

Mrs. Hlas temporarily recessed the Regular Council Meeting in order to begin the Public Hearing.

Mrs. Hlas convened the Public Hearing for Ord. #5-2005 at 7:15 PM. The applicant was not present for the hearing. The Clerk of Council certified the legal notice for the Public Hearing was published in the Barberton Herald on January 27, 2005. Mrs. Hlas called three times for anyone in favor of the application to come forward, no one came forward. Mrs. Hlas called three times for anyone against the application to come forward, no one came forward. There was no further discussion on this application, and Mrs. Hlas closed the Public Hearing.

Mrs. Hlas reconvened the Regular Council meeting at 7:18 PM.

COMMUNICATION FROM THE PUBLIC:

Mrs. Elaine Tompkins, a Norton resident spoke regarding her concerns about city finance issues, and read from the attached report. (Exhibit A)

INTRODUCTION OF NEW LEGISLATION:

ORD. #1-2005:

Mr. Price offered Ordinance #1-2005 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO REVISE CITY ACCESS CHARGES FOR NEW CONNECTIONS TO THE CITY'S WATER SYSTEM BY AMENDING SECTION 1040.03 OF THE NORTON CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

First reading only.

ORD #2-2005:

Mr. Price offered Ordinance #2-2005 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO REVISE CITY ACCESS CHARGES FOR NEW CONNECTIONS TO THE CITY'S SANITARY SEWER SYSTEM BY AMENDING SECTION 1042.05 OF THE NORTON CODIFIED ORDINANCES.

First reading only.

ORD # 10-2005

Mr. Conklin offered Ordinance #10-2005 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF \$110,000.00 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING COSTS OF WATER LINE IMPROVEMENTS (JOHNSON ROAD), AND DECLARING AN EMERGENCY.

ORD # 10-2005 Continued:

Mr. Conklin moved to suspend the second and third readings, seconded by Mr. Price. Mr. Mowery questioned the reason for waiving the readings, and the emergency language. Mrs. Zerga indicated that the current note and interest is due at Bank One this Friday, February 18, 2005. Mr. Mowery felt there should be three readings, and Mrs. Zerga stated that if it is councils intention for three readings, she would begin the process much earlier. Mr. Mowery indicated that he would be taking a stance this year that ordinances should go all three readings. Mr. Mowery stated that Administration needs to bring issues to the table more timely, and if they cannot do that, not to expect the vote for emergency language to pass.

Roll Call: Yeas: Conklin, Price, Pelot, Zita, Hlas
Nays: Mowery

Motion passed 5-1.

Mr. Conklin moved to adopt Ordinance #10-2005, seconded by Mr. Price

Roll Call: Yeas: Conklin, Price, Pelot, Zita, Hlas
Nays: Mowery

Motion passed 5-1.

ORD. #11-2005

Mr. Conklin offered Ordinance #11-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF \$125,000.00 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PURCHASING EQUIPMENT FOR THE CITY'S DEPARTMENT OF PUBLIC SERVICE, AND DECLARING AN EMERGENCY.

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

Roll Call: Yeas: Conklin, Price, Pelot, Zita, Hlas
Nays: Mowery

Motion passed 5-1.

Mr. Conklin moved to adopt Ordinance #11-2005, seconded by Mr. Price.

Roll Call: Yeas: Conklin, Price, Pelot, Zita, Hlas
Nays: Mowery

Motion passed 5-1.

INTRODUCTION OF NEW LEGISLATION CONTINUED:

ORD #14-2005

Mr. Pelot offered Ordinance #14-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND CHAPTER 1022, SECTION 1022.01 – GRADING AND PAVEMENT SPECIFICATIONS OF THE STREETS, UTILITIES AND PUBLIC SERVICE CODE OF THE NORTON CODIFIED ORDINANCES TO MODIFY REQUIREMENTS FOR THE CONSTRUCTION OF RESIDENTIAL STREETS IN THE CITY OF NORTON.

First reading only.

ORD # 15-2005

Mr. Zita offered Ordinance #15-2005 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO APPROVE THE AMENDMENT OF THE CITY OF NORTON'S AGREEMENT WITH THE SOLICITOR TO INCREASE HIS SALARY AND HIS HOURLY RATE FOR ADDITIONAL SERVICES.

First reading only. Mrs. Hlas stated that there is an error because we are not increasing his hourly rate. The Clerk of Council stated that Mrs. Hlas was correct and it would be corrected for the second reading.

INTRODUCTION OF PRIOR LEGISLATION:

ORD # 3-2005

Mr. Pelot offered Ordinance #3-2005 for its second reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE CITY OF NORTON BUILDING AND HOUSING CODE TO ESTABLISH ENGINEERING PLANS REVIEW FEES.

Second reading only.

ORD # 5-2005

Mr. Pelot offered Ordinance #5-2005 for its second reading, and asked the Clerk to read it:

AN ORDINANCE RECLASSIFYING PROPERTY KNOWN AS 4210 SOUTH HAMETOWN ROAD, NORTON, OHIO (PPN #4602779) FROM RU-1 RURAL RESIDENTIAL DISTRICT TO R-1 ONE FAMILY RESIDENTIAL DISTRICT.

Second reading only.

ORD #6-2005

Mr. Mowery offered Ordinance #6-2005 for its second reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND CHAPTER 660, SECTION 660.14-NOXIOUS WEEDS OF THE GENERAL OFFENSES CODE OF THE NORTON CODIFIED ORDINANCES TO MODIFY REGULATIONS TO CONTROL NOXIOUS WEEDS.

Second reading only.

INTRODUCTION OF PRIOR LEGISLATION CONTINUED:

ORD #8-2005

Mr. Conklin offered Ordinance #8-2005 for its second reading, and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE AND DIRECT THE ADMINISTRATIVE OFFICER AND THE FINANCE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE CENTRAL COLLECTION AGENCY FOR THE COLLECTION OF CITY OF NORTON INCOME TAXES, EFFECTIVE JULY 1, 2005.

Second reading only.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Kernan thanked Council for adopting Ordinances #10-2005 and #11-2005, and stated that if these had not passed tonight, the city would have defaulted for the first time. Mayor Kernan stated that he will work together on getting requests for legislation in a more timely manner so that Council can have three full readings. Mayor Kernan briefly commented on the wage issues, and he has worked with our Finance Director to keep Council fully informed. Mayor Kernan stated that he does not want Council to feel that they cannot come to Administration to get the information they request. Mayor Kernan discussed the \$18,000.00 in raises for the rest of the non-bargaining employees which represents 15/100ths of one percent of our total budget. The total Budget for 2005 is approximately \$12,138,000.00 and we are asking for \$18,000.00 for raises, and if you take the total budget and divide that into 1000 pieces, you would be giving 15 pieces to the employees. Mayor Kernan stated that he was very up front with the 2005 Budget, which included raises, as well as the wage and hire freeze.

NEW BUSINESS:

Mrs. Hlas discussed the appointment of Mike Zita as Council's representative to the Norton Health Advisory Board, which Mr. Zita gladly accepted.

Mr. Mowery discussed the skate park plans for the city, and there have been people donating the land for this park. He will be working with Mr. Pritchard about the Special Planned Development zoning changes. This park will be fully funded by private individuals, and will be open to the public. There would be a liability factor, which would need to be worked out in the near future.

OLD BUSINESS:

Mr. Price commented on the working relationship this past year between Council and Administration. Mr. Price stated that his interests focused in other areas and may have overlooked the issue of the raises. Mr. Price indicated that in the future he would like to have three full readings on legislation relating to finance/money issues.

Mr. Mowery commented on Mayor Kernan's previous statement, adding the he did not mean to imply that there was something done underhandedly with the raises. The Administration did do things up front and they felt it was the right thing to do, however he does not agree with their actions, and felt it was the worst thing to do for the city.

PUBLIC SERVICE ANNOUNCEMENTS:

Mrs. Hlas stated that Norton After Prom is selling tickets this month for March Lottery Tickets for \$5.00, to contact her for tickets if interested. Mrs. Hlas stated that the Norton Girls Basketball had their first tournament at Lake this evening. Norton Boys Basketball will have their tournament game next Monday night at 7:30 PM at the Barberton High School, they will be playing against Coventry. Mrs. Hlas indicated that the public hearing regarding the trash program will be March 1, 2005 at 7:00 PM, and encouraged everyone to be present whether you are for this or against it. Mrs. Hlas indicated that she would like to have a notice on the sign at Williams Park for two straight weeks to notify the public. Mrs. Hlas discussed the possibility of having to bump someone off the sign that may have made previous arrangements. Mrs. Hlas felt this issue is very important and needs to get the word out. Mayor Kernan indicated that he would look into this, and see what could be done about it.

ADJOURN:

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

Brenda K. Hlas-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 Council Meeting held on Monday, February 28, 2005.

Karla D. Richards, Clerk of Council

Date approved: February 28, 2005

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