



**NORTON CITY COUNCIL  
REGULAR COUNCIL MEETING  
MONDAY, FEBRUARY 28, 2005**

Roll Call: John Conklin  
Brenda Hlas  
Dennis McGlone  
Bill Mowery  
Scott Pelot  
James Price  
Mike Zita

Also Present: Mayor Joseph Kernan  
Claude Collins  
Jeanne Zerga  
Jeff Pritchard  
Mike Lyons  
Karla Richards

The Committee of the Whole convened for a meeting on Monday, February 28, 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. Zita stated that Resolution #23-2005 needs a correction, the term should read first full three year term. Mrs. Hlas indicated that she would be voting no on Resolution # 23-2005 because she felt that there should be opportunities for other residents to serve, especially since there were eight residents that were interested in serving on the Parks Board. Mr. Mowery thanked Mrs. Zerga for providing him with the missing information regarding the total outstanding debt for 2004.

**CONSIDERATION OF THE MINUTES:**

Minutes of the Regular Council meeting of February 14, 2005-Approved as written  
Minutes of the Committee of the Whole meeting of February 22, 2005-Approved as written

**COMMUNICATION FROM THE PUBLIC:**

Mr. George Tomko, a Norton resident spoke briefly regarding taxes, and offered a coupon for a free tax preparation from Jackson Hewitt to any resident who is interested. The only catch is that he would like to have the collectors gift that Jackson Hewitt hands out when the coupon is redeemed.

**INTRODUCTION OF NEW LEGISLATION:**

**ORD #12-2005**

Mr. Conklin offered Ordinance #12-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO ESTABLISH AN ACCOUNT IN THE WATER LINE FUND TO ACCOUNT FOR RETAINAGE MONEY DUE FOR JOHNSON ROAD WATERLINE WORK, AND DECLARING AN EMERGENCY.

Mr. Conklin moved to waive the second & third reading, seconded by Mr. Price.

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

Motion passed 6-1.

**ORD #12-2005 continued:**

Mr. Conklin moved to adopt Ordinance #12-2005, seconded by Mr. Price.

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

Motion passed 6-1.

**ORD #13-2005**

Mr. Conklin offered Ordinance #13-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO ESTABLISH A FUND TRANSFER ACCOUNT IN THE GENERAL FUND, TO APPROPRIATE AND TRANSFER UNENCUMBERED FUNDS, AND DECLARING AN EMERGENCY.

Mr. Conklin moved to waive the second & third reading, seconded by Mr. Price.

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

Motion passed 6-1.

Mr. Conklin moved to adopt Ordinance #13-2005, seconded by Mr. Price.

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

Motion passed 6-1.

**RES#16-2005**

Mr. Zita offered Resolution #16-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF MARGUERITE ABBOTT TO A SECOND THREE-YEAR TERM ON THE PLANNING COMMISSION OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Zita moved to adopt Resolution #16-2005, seconded by Mr. Conklin.

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

Motion passed 7-0.

**RES #17-2005**

Mr. Zita offered Resolution #17-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF TODD HOUSER TO A FIRST FULL THREE-YEAR TERM ON THE PLANNING COMMISSION OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Zita moved to adopt Resolution #17-2005, seconded by Mr. Conklin.

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

Motion passed 7-0

**RES #18-2005**

Mr. Zita offered Resolution #18-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF RICHARD EASTERLING TO A SECOND THREE-YEAR TERM ON THE BOARD OF ZONING AND BUILDING APPEALS OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Zita moved to adopt Resolution #18-2005, seconded by Mr. Conklin.

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

Motion passed 7-0.

**RES #19-2005**

Mr. Conklin offered Resolution #19-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION REQUESTING THE GENERAL ASSEMBLY TO CONTINUE ITS HISTORY OF PARTNERSHIP WITH OHIO'S LOCAL GOVERNMENTS AND RETAIN FUNDING FOR THE LOCAL GOVERNMENT FUNDS AT THE PERMANENT LAW FORMULA.

Mr. Conklin moved to adopt Resolution #19-2005, seconded by Mr. Price.

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

Motion passed 7-0.

**RES #20-2005**

Mr. Zita offered Resolution #20-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF AUDREY TOLAND TO A SECOND THREE-YEAR TERM ON THE CITY OF NORTON PARKS AND RECREATION BOARD AND DECLARING AN EMERGENCY.

Mr. Zita moved to adopt Resolution #20-2005, seconded by Mr. Conklin.

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

Motion passed 7-0.

**RES #21-2005**

Mr. Zita offered Resolution #21-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION CONFIRMING THE APPOINTMENT OF LISA MERRICK TO A SECOND THREE-YEAR TERM ON THE CEMETERY BOARD OF THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Zita moved to adopt Resolution #21-2005, seconded by Mr. Conklin.

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

Motion passed 7-0.

**ORD #22-2005**

Mr. Zita offered Ordinance #22-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; APPROVING, ADOPTING AND ENACTING NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

Mr. Zita moved to waive the second and third reading, seconded by Mr. Conklin.

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

Motion passed 7-0.

Mr. Zita moved to adopt Ordinance #22-2005, seconded by Mr. Conklin.

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

Motion passed 7-0.

**RES #23-2005**

Mr. Zita offered Resolution #23-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION TO CONFIRM THE APPOINTMENT OF NEVA GIBSON TO A FIRST FULL THREE-YEAR TERM ON THE CITY OF NORTON PARKS AND RECREATION BOARD AND DECLARING AN EMERGENCY.

Mr. Zita moved to adopt Resolution #23-2005, seconded by Mr. Conklin

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

Motion passed 6-1.

**RES #24-2005**

Mr. Zita offered Resolution #24-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION TO CONFIRM THE APPOINTMENT OF DALIA M. SPISAK TO A FIRST FOUR-YEAR TERM ON THE HEALTH ADVISORY BOARD OF THE CITY OF NORTON AND TO DECLARE AN EMERGENCY.

Mr. Zita moved to adopt Resolution #24-2005, seconded by Mr. Conklin.

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

Motion passed 7-0.

**RES #25-2005**

Mr. Zita offered Resolution #25-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR THE SERVICE OF GARY BRUMMOND AS A MEMBER OF THE NORTON HEALTH ADVISORY BOARD.

Mr. Zita moved to adopt Resolution #25-2005, seconded by Mr. Conklin.

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

Motion passed 7-0.

**RES #26-2005**

Mr. Zita offered Resolution #26-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION OF APPRECIATION FOR THE SERVICE OF RALPH DOWLING AS A MEMBER OF THE NORTON PARKS AND RECREATION BOARD.

**RES #26-2005 continued:**

Mr. Zita moved to adopt Resolution #26-2005, seconded by Mr. Conklin.

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

Motion passed 7-0.

**INTRODUCTION OF PRIOR LEGISLATION:**

**ORD. #1-2005:**

Mr. Price offered Ordinance #1-2005 for its second 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.

Second reading only.

**ORD #2-2005:**

Mr. Price offered Ordinance #2-2005 for its second 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.

Second reading only.

**ORD #14-2005**

Mr. Pelot offered Ordinance #14-2005 for its second 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.

Second reading only.

**ORD # 15-2005**

Mr. Zita offered Ordinance #15-2005 for its second 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.

Second reading only.

**ORD # 3-2005**

Mr. Pelot offered Ordinance #3-2005 for its third 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.

Mr. Pelot moved to adopt Ordinance #3-2005, seconded by Mr. Conklin

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

Motion passed 7-0.

**ORD # 5-2005**

Mr. Pelot offered Ordinance #5-2005 for its third 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.

Mr. Pelot moved to adopt Ordinance #5-2005, seconded by Mr. Conklin

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

Motion passed 7-0.

**INTRODUCTION OF PRIOR LEGISLATION CONTINUED:**

**ORD #6-2005**

Mr. Mowery offered Ordinance #6-2005 for its third 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.

Mr. Mowery moved to adopt Ordinance #6-2005, seconded by Mr. Conklin.

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

Motion passed 7-0

**ORD #8-2005**

Mr. Conklin offered Ordinance #8-2005 for its third 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.

Mr. Conklin moved to adopt Ordinance #8-2005, seconded by Mr. Price. Mr. Zita had questions on the total cost to the city, and Mrs. Zerga stated that the fee is 3% of your collections adding that by outsourcing the day to day income tax collections, it will save the city money. Mrs. Zerga indicated that this would provide more time to follow up, investigate and pursue the delinquent and non-filers within the city. Mr. Zita was concerned about the possibility of a conversion fee and Mrs. Zerga indicated there would be no conversion fee, and she also checked with Barberton and they did not pay a conversion fee either. Mr. Pelot stated that he supports this because the computers are all outdated, we need new software programs, and that CCA will help us determine what residents should be paying. Mr. McGlone also supported this, and looked forward to seeing a more aggressive approach on the delinquents and non-filers. Mr. McGlone indicated that the city would be saving over \$25,000.00 just on pre-printed tax forms and postage. Mr. Price indicated he does not support this, he was not at all impressed with CCA or the fact that their initial price went from \$60,000.00 to \$80,000.00 and now its even more than that. Mr. Price indicated that the timing is not right since we just passed the ½% tax increase, he would rather see the city hire another employee and keep it in house. Mr. Conklin stated that he is in favor of this, and was disappointed that the rest of Council wasn't at city hall recently when he saw every employee of every department tearing apart tax forms, folding, etc., for four solid days to help the Finance Department keep up. Mrs. Hlas indicated that even our Clerk of Council was involved in this. Mr. Conklin stated he felt that this was a poor use of city resources. Mr. Conklin mentioned the fact that if we hired another employee and the Local Government Fund gets cut, where will the money come from to pay this employee? Mr. Mowery indicated that he is against this, there are no guarantees and that farming this out is not the answer. Mr. Mowery stated that 1/3 of the budget is for the Income Tax Department, and asked Mrs. Zerga if her budget could be decreased by 1/3? Mr. Zita stated that he checked with the City of Eastlake, which has about 20,000 residents. They paid CCA \$245,000.00 last year for collections, when it was done in house for \$180,000.00. Mr. Mowery stated that this is a big problem and felt we will pay a price on this down the road. Mrs. Hlas stated that she supports this and explained that in the first few years the collections will seem a bit high, but would begin to slack off in the future. Mrs. Hlas stated that she worked in collections for 15 years and one thing she knows is that follow up is what is necessary. Mrs. Hlas stated that by going with CCA it will free up time for the staff to do this. They need to have policies, procedures set for delinquent/non-filers and keep up with that process.

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

Motion passed 4-3.

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

Mayor Kernan thanked Council for the resolutions on appointments and appreciations and thanked those who served for their time. Mayor Kernan also thanked all of the residents who submitted applications for the various boards, and felt it was encouraging to see those willing to serve. Mayor Kernan also thanked Council for adopting the ordinance tonight for CCA. Mayor Kernan felt this was a tough decision for Council, but believes we will all be pleasantly surprised with the results in the end. Mayor Kernan discussed two possible dates for Norton Clean-up Day as being May 7<sup>th</sup> or April 30, and was leaning more towards the April 30<sup>th</sup> date.

Mr. Collins reminded everyone that the auction for unused city equipment would be Saturday March 12, 2005 at 10:00 AM at the Service Facility. Mr. Collins stated that the vehicles were towed away from 3720 Alberta Drive for a second time. Mr. Collins indicated that he is working on the poor road conditions on Barber Road and should have the bid numbers on the costs of these repairs in the near future. Mr. Collins stated that he received a call from Mr. Ed Binic-Barberton Health District stated he would not be in attendance tonight due to illness.

Mrs. Zerga thanked Council for adopting the legislation on CCA and strongly felt this would benefit the city in future.

Mr. Pritchard stated that the city submitted a grant to Summit-Akron Solid Waste Authority for \$3,000.00. These funds will be used to educate the public on recycling, purchasing recycling bins for the community, etc. Mr. Pritchard reminded everyone present about the town meeting tomorrow night at 7:00 PM regarding the residential trash haulers bid.

Mr. Lyons stated that he had no report. Mr. Mowery inquired about the request to establish the English language as the official language for the City, and Mr. Lyons indicated he did not have anything prepared for this. Mrs. Hlas inquired on the status of Ord. #1-2005 and Ord #2-2005 the water and sewer access fees. Mr. Lyons stated he spoke with Arcadis-FPS last week, they are doing a little more research and he is waiting for their reply. Mrs. Hlas requested we have a written reply from Mr. Lyons by the March 7, 2005 Committee of the Whole meeting, since a third reading will occur on March 14, 2005. Mr. Lyons indicated that he would see that Council has this information by then.

**NEW BUSINESS:**

None

**OLD BUSINESS:**

None

**PUBLIC SERVICE ANNOUNCEMENTS:**

Mrs. Hlas indicated that out 72 residents on her email list, she received a reply from 23 on the trash situation. It was basically a 50/50 split, which surprised her, with all of the negative comments she has received she felt there would be more against it. Mrs. Hlas welcomed the newly appointed board members to their positions. Mrs. Hlas stated that the original dates for the Annual Workshop were not convenient, and she has selected another date of April 23<sup>rd</sup>, and asked to have RSVP's back by Monday, March 7, 2005. This will be the last attempt to reschedule this meeting, if the majority cannot attend then we will wait until next year. Mrs. Hlas inquired if Mayor Kernan would be attending the town meeting on the city-wide trash hauler, and he indicated that he would be present. Mrs. Hlas asked Mayor Kernan where he stood on this issue. Mayor Kernan stated that he felt it was a good thing for the residents and is in support of potential savings to the residents. Mrs. Hlas stated that she still has a few tickets for the Norton After Prom Raffle if anyone is interested.

**ADJOURN:**

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:02 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 February 28, 2005.

\_\_\_\_\_  
Karla D. Richards, Clerk of Council

*Date approved:                      March 14, 2005*

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