



NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, JANUARY 24, 2005

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

Norton City Council convened for a meeting on Monday, January 24, 2005 at 7:00 PM in the Council Chambers of the Safety Administration Building. The meeting was called to order by Brenda Hlas, Council President. Following a salute to the flag and the pledge of allegiance, there was a moment of silent prayer.

COMMITTEE OF THE WHOLE:

Mr. Mowery stated that he would like to discuss our road safety issues for our Service Department, at the next Committee meeting. Mr. Mowery indicated he would like to see what could be done to step up the safety for our employees, in light of Barberton's tragic loss of their employee.

Mr. Conklin indicated the MPO needs to be addressed, and moved to add the revisions as requested by Administration to tonight's agenda, seconded by Mr. Zita. Mr. Mowery had concerns about this being rushed through, and inquired about the raises being already implemented. Mr. Collins stated that January 1, 2005 the majority of employees (mostly union) received a 3 ½% raise. The Non-Bargaining employees also received a 3 ½% raise. Mr. Mowery stated that just because it was budgeted for, does not mean it has to be spent. Mr. Mowery wanted to discuss this further during a Committee meeting, and suggested we place a wage freeze for 2005, and 2006. Mayor Kernan stated that in early January he came to Council and indicated that he would be lifting the wage freeze, unless there were objections, to which there were none. Mayor Kernan stated that Council needs to keep in mind that the vast majority are union wages and are under contract, and asked Council to move forward on this. Mr. Price stated that he feels the employees deserve a raise, however he worked hard to get the ½% tax increase and this was to continue the services to the residents. Mr. McGlone asked is it fair for the non-bargaining not to get raises?. Mr. McGlone stated that normally when you negotiate the contracts, the non-bargaining employees get the same increase as the unions, it is only fair for all employees. Mr. Conklin indicated that we are talking about approximately \$18,000.00. The employees that were affected by the wage freeze last year are the employees sitting here in this room right now. The Police, Fire, Streets, & Parks employees had already received their 3 ½% in January of 2004, *before* the wage freeze was in effect. Mrs. Hlas stated that without changing the MPO language, Mayor Kernan has no right to do this without Councils consent. Ms. Zerga indicated that this years budget is a balanced budget, and in 2004 we were in the red. Mrs. Hlas stated that she recalls when we originally discussed the MPO, there were concerns from one resident that this would give the Administration too much power and control, which is exactly what is happening here. Mrs. Hlas questioned if this effects the Municipal Engineer, and Mr. Collins indicated that it does not because he is under a contract.

Committee of the Whole continued:

Mrs. Hlas asked if this affects Mr. Lyons, and Mr. Collins indicated that Mr. Lyons is included. Mrs. Hlas had issues with this since Mr. Lyons is also a contract employee, how can it be done for one, but not the other. Mrs. Hlas stated that as of now there is no new contract for the Law Director for Council to review. There was discussion on this subject, and Mr. Lyons stated that it is a contract issue and if Council wanted to treat it this way, he is fine with it. Mrs. Hlas indicated that she has no problem with the non-bargaining employees receiving the 3 ½% raise, but the language in the MPO must also be changed. Mr. Price indicated that he also has no problem with the raises, and felt that Council needs to re-address this in November, and have a tighter mechanism in doing so. Mrs. Hlas stated always be this way from now on. Mr. Zita stated that the non-bargaining got their raises already and this really affects Karla and she has not received her raise. Mrs. Hlas stated that she did not address Karla's raise because she did not want to go against the MPO. She was waiting for the MPO to be changed, and the raise would be implemented then. Mr. Collins advised Council that Karla's anniversary date fell during the freeze last year, and she is way past her year she should have been considered. Mr. Collins stated that some Council members are making it sound like this was hidden from them. This was open and above board, and the 3 ½ % raises were included when the 2005 Budget was being discussed, and you passed the MPO with all the numbers in it. Mrs. Hlas stated that with that being said, the language in the MPO clearly stated upon the anniversary date. Mr. Collins stated that those employees that received a raise on January 1, 2005 went over a year without a raise, and were well past their anniversary date and were considered immediately on January 1, 2005. Mr. Mowery asked if the ½% tax increase had not passed, would we have the money for these raises? Mr. Collins indicated that if it failed, there would be union layoff's, and union discussions. This was one of the reasons the union employees worked so hard to make this happen.

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

Motion passed 5-1.

CONSIDERATION OF MINUTES:

Minutes of the Regular Council Meeting of January 10, 2005-accepted as written.

Minutes of the Committee of the Whole Meeting of January 18, 2005-accepted as written.

COMMUNICATIONS FROM THE PUBLIC:

Mr. Paul Holm, Executive Director for Rebuilding Together Summit County, gave a brief presentation on their program and the specific criteria for applying for assistance. Mr. Holm handed out a fact sheet and general information for review (see Exhibit A).

Ms. Mickey Young, a Norton Resident presented two checks to Mrs. Hlas in support of her Girl Scout Troop project of raising \$500.00 to plant a tree in Columbia Woods Park in honor of our first woman Mayor. The Barberton Women of the Moose gave a check for \$100.00 as a community service project. The second check is for \$50.00 as a personal contribution from Ms. Young. Ms. Young stated that she hoped these donations would help in the success of her project, and thanked her for dedicating herself to future woman leaders, and for being an outstanding role model. Mrs. Hlas thanked Ms. Young, adding that she has nearly \$400.00 so far.

Communications from the Public continued:

Mr. George Tomko, a Norton resident spoke about the repeating of comments on the MPO. Mr. Tomko spoke again about reading the ordinances carefully, and the English language, which should be declared as the official language. Mr. Tomko stated that we should make this a goal, and to contact someone to help get this accomplished. Mr. Tomko spoke about the need of our own zip code, and that we should keep working to get this accomplished.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

ORD. #3-2005

Mr. Price offered Ordinance #3-2005 for its first 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.

First reading only.

ORD. #4-2005

Mr. Conklin offered Ordinance #4-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE PURCHASE OF THREE (3) NEW VEHICLES FROM GANLEY FORD FOR USE BY THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY.

Mr. Conklin moved to waive the second and third readings, seconded by Mr. Price. Mrs. Hlas stated that it was brought to Council's attention via email today that we should have paid off our debt instead of buying these cruisers. Mrs. Hlas recited Section #2 (B) of the bond ordinance for 2003 where we purchased police cruisers in the past. It clearly states that the earliest pay off date is December 1, 2011. Even if we wanted to pay them off earlier, it would not save the city any money.

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

Motion passed 6-0.

Mr. Conklin moved to adopt Ordinance #4-2005, seconded by Mr. Price.

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

Motion passed 6-0.

Consideration of New Legislation continued:

ORD. #5-2005

Mr. Price offered Ordinance #5-2005 for its first 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.

First reading only. Mrs. Hlas indicated that a Public Hearing would be held on February 14, 2005 for this rezoning application.

ORD. #6-2005

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

First reading only.

ORD #7-2005

Mr. Conklin offered Ordinance #7-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE ADMINISTRATIVE OFFICER TO ADVERTISE, TAKE BIDS, AND EXECUTE A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR SERVICE DEPARTMENT MATERIALS FOR THE MAINTENANCE OF ROADS FOR THE CITY OF NORTON AND DECLARING AN EMERGENCY.

Mr. Conklin moved to suspend the second and third readings, as an emergency, seconded by Mr. Price. Mr. Mowery inquired as to the bids, and pricing. Mr. Collins indicated that he would like to have an early start on this and would like to be opening bids around the middle of February

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

Motion passed 6-0.

Mr. Conklin moved to adopt Ordinance #7-2005, seconded by Mr. Price

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

Motion passed 6-0.

Consideration of New Legislation continued:

ORD #8-2005:

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

First reading only.

ORD #9-2005

Mr. Conklin discussed this Ordinance and felt that it is more of a Personnel/Rules issue than Finance matter, and suggested that Mr. Zita introduce this. Mr. Zita indicated that he felt it is a split issue, but would introduce the legislation.

Mr. Zita offered Ordinance #9-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND CHAPTER 258, SECTION 258.18 – *MINIMUM AND MAXIMUM RANGE SYSTEM OF COMPENSATION*, SUBSECTION (c) – *MINIMUM AND MAXIMUM RATE*, OF THE GENERAL OFFENSES CODE OF THE NORTON CODIFIED ORDINANCES TO MODIFY THE TIMING OF ELIGIBILITY FOR ANNUAL PAY RAISES.

Mr. Zita moved to suspend the second and third readings, seconded by Mr. Conklin. Mr. Price wanted clarification that essentially by adopting this Ordinance, this makes January 1st of every year the date any employee would receive a raise. Mayor Kernan concurred with this statement. Mr. Collins stated that it makes it much easier in the budget process if all raises are issued at the same time of year.

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

Motion passed 5-1.

Mr. Zita moved to adopt Ordinance #9-2005, seconded by Mr. Conklin:

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

Motion passed 5-1.

INTRODUCTION OF PRIOR LEGISLATION:

ORDINANCE #139-2004

Mr. Price offered Ordinance #139-2004 for its third reading, and asked the Clerk to read it.

AN ORDINANCE TO AUTHORIZE THE SALE OF SURPLUS PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES.

Regular Council Meeting
January 24, 2005
Page # 6 of 7

Introduction of Prior Legislation continued:

ORD. #139-2004 continued:

Mr. Conklin moved to adopt Ordinance #139-2004, seconded by Mr. McGlone

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

Motion passed 6-0.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Kernan thanked Council for adopting Ordinance #9-2005. Mr. Collins also thanked Council for adopting this ordinance. Mr. Pritchard stated that he is working with the new GIS System and will be verifying all sewer and water customers in the city. Mr. Binic, Barberton Health District gave a brief report on the status of the Houston Street junkyard. There will be a trial in Judge Hunter's court on January 31, 2005 at the Summit County Common Pleas Court. Mr. Binic indicated that there are over 100 junk cars and trucks, 1,000 scrap tires, and 100 tons of other junk on this property.

OLD BUSINESS:

None

NEW BUSINESS:

Mr. Mowery indicated that Council need to appoint a representative from Council to sit on the Norton Health Advisory Board. Mrs. Hlas stated that she would be discussing this with all of the members, and it at the next Committee Meeting. Mr. Mowery inquired about the vacancy on the Norton Health Advisory Board. Mayor Kernan stated that he is currently reviewing the applications. There was general discussion on the qualifications of a medical background being required. Mr. Mowery stated that he would like to address Mr. Tomko's suggestion on making the English language the official language for the City of Norton at the next Committee meeting. Mr. Mowery stated that Mr. Tomko has spoke to us several times in the past about this, and he would like to finally get the legislation prepared for it. Mrs. Hlas stated that she wanted to add the request for pavement requirements to the agenda for the next Committee of the Whole on February 7, 2005.

PUBLIC SERVICE ANNOUNCEMENTS:

Mrs. Zerga indicated that due to the new payroll program training the Finance Department would be closed to the public tomorrow, Tuesday, January 25, 2005 and again on Monday, February 7, 2005.

ADJOURN:

There being no further business to come before it, Council adjourned the meeting at 8:12 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 Meeting of Council, held on Monday, February 14, 2005.

Karla D. Richards, Clerk of Council

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