



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, MAY 23, 2005**

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

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

The Regular Council Meeting convened for a meeting on Monday, May 23 2005 at 7:01PM, 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. Mowery discussed the Bridgeway Group Home and stated that he recently met with Mr. Weese regarding the formation of an Oversight Board. Mr. Mowery indicated that they were interested in having some members of Council serve on this board as an advisory position. Mr. Mowery indicated that the city and Council would take no role in running the Bridgeway Group Home. Mr. Mowery indicated that he would be having further discussions on this matter. Mr. Mowery discussed the safety issues with the Weber Drive residents. Mr. Mowery discussed conversations with Dr. Calinger and Dr. Calinger suggested Mr. Mowery meet with the School Board to review the bus stop and safety issues. Mr. Mowery again asked for comments from the Administration regarding the safety concerns for the employees at city hall. Mr. Mowery stated he had some comments regarding the road program, but deferred to comment on this subject until Mr. Price discusses this matter.

Mr. Conklin stated that there is a new Exhibit A with a better detail for Ordinance #43-2005.

Mrs. Hlas addressed Mr. Mowery's concerns about the safety issues and asked him what is it exactly that he would like to be addressed. Mr. Mowery discussed maybe having a glass window with speaker holes, possibly metal detectors at the front door. Mr. Mowery indicated that he would like to do something for their safety. Mr. Collins addressed Mr. Mowery's concerns adding that he was not a fan of metal detectors because you need someone to oversee these. Mr. Collins also stated he is not a fan of bulletproof glass, because he does not think it is necessary, and that training of employees would be sufficient. Mr. Collins indicated that he does not wish to turn city hall into a fortress, it is not necessary.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council meeting of May 9, 2005-Approved as written.
Minutes of the Committee of the Whole of May 16, 2005-Approved as written.

COMMUNICATION FROM THE PUBLIC:

Mr. Mike Meden, a Norton resident spoke about his observations after viewing Channel 15 in the past few weeks. Mr. Meden stated that Mrs. Hlas and Mr. Conklin have taken heat from the residents on some issues. Mr. Meden stated that the ones who do the most work are usually the ones that get the most flack, and thanked Mrs. Hlas and Mr. Conklin for their hard work, along with others such as Mr. Pritchard, it is appreciated. Mr. Meden also commended Mayor Kernan for his stand in the past few weeks on issues. Mr. Meden stated he felt the real problem is the zoning and the Charter, and would like to see this brought back to the public, and offered to work on the Charter Review Committee if necessary. Mr. Collins stated that Mayor Kernan had previously announced that this September he would be re-starting the Charter Review Commission. Mrs. Hlas stated that in reference to the zoning code, we have two items tonight, and one pending at the Planning Commission level.

Mr. Gary Thayer, a Norton resident commented on the importance of a strong zoning code, and updated Charter. Mr. Thayer stated that the city needs to improve our image and create a new identity. (See attached comments as Exhibit A).

Mr. Jim Lino, a Norton resident expressed his concerns regarding the progress of the city, and that other communities seem to be surviving. Mr. Lino stated that everyone wants to see progress and a good tax base. Mr. Lino commented on an editorial he read from a small town in North Carolina, adding that the schools there are to receive 2 million out of a 28 million fund, and that the property taxes will stay steady, and there is really nothing there in that town. Mr. Lino commented on Copley which is full of progress, and yet there are some residents that are leaving because the taxes are too high. Then you have Barberton which is full of industry, but the schools are broke. Mr. Lino commented on the growth of Wadsworth, wondering where they are getting the water from? If they are generating 8 million from development, will they be maintaining the roads?

Mr. George Tomko, a Norton resident asked the Service Committee to look into trailers parked on the roadway. Mr. Tomko cited a recent incident with a landscape trailer that was parked far into the roadway and he had to slow way down because it was on a crest of a hill in order to see. Mr. Tomko felt this needs to be addressed. Mr. Tomko discussed a property in Rt. 261 with tall weeds and wanted to know who decides when to mow. Mr. Collins stated that he has already sent a letter to the parcel owner, the house is currently vacant and this will be mowed by the city if the owner does not address this within the time frame. Mr. Tomko spoke about the language in Ord. #48-2005, and his concerns about the tile on the ordinance. Mr. Tomko stated that Wadsworth has a bulletin, which lists the items that will not be collected for pickup such as hazardous wastes, explosives, etc. Mr. Tomko felt that our proposal should spell out the hazardous waste if it is not listed. Mr. Pritchard cited Section 8.7 listing the items which are not accepted by the trash haulers. Mr. Tomko mentioned the English Language and hoped that Council is working on this. Mrs. Hlas stated that Mr. Mowery is working on getting sample legislation from other communities. Mr. Tomko thanked Council for addressing the zoning issues, and that doing them a little at a time is the correct way to do this.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

RES #42-2005

Mr. Price offered Resolution #42-2005 for its first reading, and asked the Clerk to read it:

A RESOLUTION DECLARING IT NECESSARY TO CONSTRUCT NEW WATER LINES ALONG HAZELWOOD AVENUE AND CONNECT ROAD IN THE CITY OF NORTON, AND TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO SUBMIT AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) TO HELP FUND THIS PROJECT AND EXECUTE ANY CONTRACTS WITH THE OPWC TO OBTAIN AVAILABLE FUNDING, AND DECLARING AN EMERGENCY.

Mr. Price moved to suspend the second and third readings, motion seconded by Mr. McGlone. Mr. Price indicated that a letter was mailed notifying all the residents around April 11, 2005. Mr. Price indicated that once we have the estimate from the contractor, the assessment process would begin. Mrs. Hlas stated the reason for waiving the readings is because the grant application is due by the end of June. Mr. McGlone commented on the need for this repair, citing one resident had ten breaks in the waterline on his property in one year. Mr. Mowery questioned if this would be just like the process for the Tallwood Dr. & Gardner Blvd.? Mr. Collins indicated that yes, if we get this grant, it would be a 50/50 split between the city and the residents.

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

Motion passed 7-0.

Mr. Price moved to adopt Resolution #42-2005, motioned seconded by Mr. McGlone

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

Motion passed 7-0.

ORD #43-2005

Mr. Conklin offered Ordinance #43-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE ANNUAL APPROPRIATION ORDINANCE 136-2004, TO ESTABLISH NEW ACCOUNTS AND AMEND THE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2005.

First reading only.

ORD #44-2005

Mr. Pelot offered Ordinance #44-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO ESTABLISH CHAPTER 250 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON TO DEFINE THE TYPES OF STREETS AND HIGHWAYS WITHIN THE CITY OF NORTON, TO ESTABLISH GENERAL GUIDELINES REGARDING THE CITY'S RESPONSIBILITY FOR THE CONSTRUCTION AND MAINTENANCE OF EXISTING STREETS AND RIGHT-OF-WAYS, AND TO ESTABLISH AN INDEX OF APPROVED STREETS, PRIVATE STREETS, UNIMPROVED RIGHT-OF-WAYS AND VACATED STREETS WITHIN THE CITY OF NORTON.

First reading only.

ORD #45-2005

Mr. Pelot offered Ordinance #45-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND NORTON CODIFIED ORDINANCE SECTION 1028.08 BY ADDING A PROVISION TO AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE TO REPLACE DRIVEWAY CULVERTS WITHOUT NOTICE TO THE PROPERTY OWNERS WHERE A CLEAR AND PRESENT EMERGENCY EXISTS.

First reading only.

ORD #46-2005

Mr. Pelot offered Ordinance #46-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO ESTABLISH FEES, DEPOSITS AND GUARANTEES FOR THE PROCESSING OF SUBDIVISION APPLICATIONS.

First reading only.

ORD #47-2005

Mr. Pelot offered Ordinance #47-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND CHAPTER 1296 OF THE NORTON CODIFIED ORDINANCES TO MODIFY THE MAXIMUM HEIGHT OF ACCESSORY BUILDINGS FROM EIGHTEEN FEET TO TWENTY-ONE FEET, MODIFY REQUIRED STREET ACCESS AND ESTABLISH SETBACK REQUIREMENTS FOR THE CONSTRUCTION OF DECKS.

First reading only.

ORD #48-2005

Mr. Pelot offered Ordinance #48-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND CHAPTER 1298 OF THE NORTON CODIFIED ORDINANCES TO DESIGNATE "HOME OCCUPATIONS" AS CONDITIONALLY PERMITTED USES ON LOTS ON WHICH A DWELLING IS THE PRINCIPAL USE, AND TO AMEND CHAPTER 1250 OF THE NORTON CODIFIED ORDINANCES TO ADD THE DEFINITION OF TYPE A AND TYPE B TO HOME OCCUPATIONS.

First reading only.

ORD #49-2005

Mr. Conklin offered Ordinance #49-2005 for its first reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE SALE AND/OR TRADE OF POLICE DEPARTMENT VEHICLES NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND DECLARING AN EMERGENCY.

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

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

Motion passed 7-0.

Mr. Conklin moved to adopt Ordinance #49-2005, motion seconded by Mr. Price.

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

Motion passed 7-0.

INTRODUCTION OF PRIOR LEGISLATION:

RES #38-2005

Mr. McGlone offered Resolution #38-2005 for its third reading, and asked the Clerk to read it:

A RESOLUTION AUTHORIZING THE ADMINISTRATIVE OFFICER TO ADVERTISE AND TAKE BIDS FROM WASTE HAULERS FOR AN EXCLUSIVE LICENSE AGREEMENT, WITH AN OPTION FOR A LICENSE THAT ALLOWS INDIVIDUAL CITIZENS TO OPT-OUT OF THE SINGLE WASTE HAULER PROGRAM, FOR THE COLLECTION AND REMOVAL OF *RESIDENTIAL* RECYCLABLES, REFUSE AND WASTE MATERIALS WITHIN THE CITY.

Mr. McGlone moved to adopt Resolution #38-2005, seconded by Mr. Price. There was general discussion and Mr. Mowery indicated that he does not support this and will voting no. Mr. Mowery stated that we need to include business in this proposal. Mrs. Hlas reminded everyone that we passed the bid proposal earlier, and that this is just to authorize to go out for bid for pricing for residential customers, and that Council will have to review the final bid prices and Council will make a decision at a later time.

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

Motion passed 6-1

ORD #41-2005

Mr. Zita offered Ordinance #41-2005 for its third reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE CITY'S SCHEDULE OF POSITIONS TITLES, STATUS, STRENGTH NUMBERS, SALARY RATES AND WAGES, AS SET FORTH IN ORDINANCE 22-2004, BY CHANGING THE DATE EMPLOYEES WILL BE ELIGIBLE FOR ANNUAL SALARY INCREASES FROM AN EMPLOYEE'S ANNIVERSARY DATE TO JANUARY 1, AND DECLARING AN EMERGENCY.

Mr. Zita moved to adopt Ordinance #41-2005, seconded by Mr. McGlone.

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

Motion passed 7-0.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Pritchard stated there would be a Small Manufacturers Exporting Workshop sponsored by Congressman Sherrod Brown on June 27, 2005 at 8:30 AM, and to contact him for details.

OLD BUSINESS:

Mr. Pelot discussed the residents concerns about the letters from CCA, adding that the residents are required to complete the form and mail it in. This form will help to ensure all information is correct and up to date.

NEW BUSINESS:

Mr. Mowery questioned if Council could form a new committee to specifically address the concerns of the Weber Drive residents, adding that he would like to see Mr. Conklin on this committee. Mrs. Hlas stated that there was no need to form a Council Committee, and if some members wanted to do this on their own that would be alright. Mr. Conklin stated that he would be more than willing to meet with those residents if he were invited to do so. There was more discussion on this and Mr. Pritchard added that the city has no official plans from the developer, and that it would be premature for any committee or group to discuss this. At this point we do not know who will be effected, what type of sewer system they will need, adding that the system may indeed be just for that location only, and not the surrounding neighborhood.

PUBLIC SERVICE ANNOUNCEMENTS:

Mrs. Hlas indicated that her newsletter is on the public rail. Mrs. Hlas stated that there are voter registration forms also available, and she would deliver these to the Board of Elections if anyone needs to register. Mrs. Hlas stated that there is a Public Hearing at the Summit County Common Please Court on the formation of a Mosquito District on June 20, 2005 at 10:00 in Judge Hunters courtroom. Mrs. Hlas stated there would be a Memorial Day Ceremony at William Park on Monday starting at 10:30. Former Mayor Addis has organized this and there would be three finalists from the Norton Idol Contest singing. Mr. Conklin stated there would be a ground breaking ceremony for the dedication of the new bank on Greenwich Road near the funeral home on May 31, 2005 at 8:00 AM an encouraged all of Council and Administration to attend and show our support.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:00 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 June 13, 2005.

Karla D. Richards, Clerk of Council

Date approved: June 13, 2005

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