



**NORTON CITY COUNCIL
SPECIAL COUNCIL MEETING
THURSDAY, JULY, 21, 2005**

Roll Call:

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

Also Present:

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

The Norton City Council convened for a Special Council Meeting on Thursday, July 21, 2005 at 6:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Brenda Hlas-President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

INTRODUCTION OF PRIOR LEGISLATION:

RES #59-2005

Mr. Zita offered Resolution #59-2005 for its third reading and asked the Clerk to read it:

A RESOLUTION TO APPOINT JOHN CONKLIN AS THE CITY OF NORTON'S REPRESENTATIVE TO THE ADVISORY COUNCIL OF THE BARBERTON-NORTON MOSQUITO ABATEMENT DISTRICT PURSUANT TO SECTION 6115.102 OF THE OHIO REVISED CODE.

Mr. Pelot moved to amend the current legislation to include language stating Councils displeasure of the formation of a Mosquito District. Mrs. Hlas called for a second to Mr. Pelot's motion, and there was no second, motion failed.

Mr. Zita moved to suspend the third reading of Res. #59-2005, seconded by Mr. Conklin.

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

Mr. Zita moved to adopt Res. #59-2005, seconded by Mr. Pelot. Mr. Mowery stated that he respects Mr. Pelot's intention however he felt they are just words and will not change anything. Mr. Mowery indicated he felt this is double taxation forced upon the City of Norton and we should remove ourselves from the Barberton Health District and pull our contract. Mr. Mowery stated that he would make a motion on the floor at the next Council Meeting and ask for a vote on this. Mr. Mowery stated that he would not spend one dime on anything having to do with Barberton. Mr. Mowery stated that as far as he was concerned, let the Judge appoint someone since she ruled on forming this district in the first place.

Res. #59-2005 Continued:

Mr. Mowery stated that he knew nothing about this appointment even though he is the Chair of the Safety Committee. Mr. Price questioned this also, wondering why Mr. Mowery is left out. Mr. Pelot stated that he does partially agree with Mr. Price and Mr. Mowery and felt this is nothing more than Barberton attempting to double their salary. Mr. Pelot stated that we should keep the current contract for the remainder of this year, however he suggested we look at possibly going with Summit County Health District next year. Mr. McGlone stated that he has been against this since day one, and felt we should go back to Summit County also. Mr. Conklin asked if Council is doing their homework here. Mr. Conklin stated that whether we contract with Summit County or Barberton for our health services, the Mosquito Abatement District (MAD) will still exist. We didn't do our homework here and we got caught. Mr. Conklin stated that several times Mr. Harrison suggested a petition process to form the district, which should have been no big surprise to us. Mr. Conklin stated that we could go to the Judge and contest this, only to be told that we didn't even try to object earlier when we had the chance. Mr. Conklin stated that the Judge did exactly what is required under State code, and although he may not agree with it or the process it is a law. Mr. Zita discussed Mr. Mowery's comments that he was left out of the loop on this, adding that a motion was given to Mr. Mowery at a previous meeting and he indicated that he wanted nothing to do with this legislation. Also Mr. Conklin informed all of Council of his intention to serve as the city's representative in a memo dated June 29, 2005. Mr. Zita stated the since he is Vice-Chair of the Safety Committee he felt it was his duty to handle this. Mayor Kernan stated that the law stands and that we are stuck with it like it or not. Mayor Kernan stated that to switch health districts now is nothing more than a knee jerk reaction because we are mad at Mr. Harrison. Mayor Kernan stated that this is not the right reason, however he would be willing to take a look at this. Mayor Kernan stated that what is important here is to have the city represented and Mr. Conklin offered to do this. Mayor Kernan stated that he agreed with Mr. Pelot's earlier attempt to modify the language, and felt that it was unfortunate no one would second his motion. Mrs. Hlas indicated that this is the third district so far in the State of Ohio, and that the second one was found not to be working and it was dissolved, so there is a way to dissolve a district. Mr. Mowery stated that by Mr. Lyons not speaking up during the public hearing was a bad idea. Mr. Price indicated that he would not be supporting this and would vote no. Mr. Pelot indicated this legislation just appoints someone to represent our city, no matter what the MAD exist. Mr. Pelot discussed his concerns and urged Council to vote sensibly and make sure that the City of Norton has a voice on this subject.

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

Motion failed 4-3.

*Note: It was announced after roll call that the motion passed with no emergency language by 4-3. However, Mrs. Hlas stated after the meeting was over that the required vote for passage is 5-2 so this motion FAILED.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 6:30 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 August 22, 2005.

Karla D. Richards, Clerk of Council

Date approved: August 22, 2005

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