



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, MAY 22, 2006**

Roll Call: Ken Braman
Tom Jones
Dennis McGlone
Bill Mowery
Scott Pelot
James Price
Mike Zita

Also Present:
Mayor Joseph Kernan
Claude Collins
John Moss
Jeff Pritchard
Mike Lyons
Karla Richards
Colene Conley

The Regular Council Meeting convened for a meeting on Monday, May 22, 2006 at 7:01 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Michael Zita-President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE:

There was no discussion.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of May 8, 2006 were approved as written.
Minutes of the Committee of the Whole of May 15, 2006 were approved as written.

COMMUNICATION FROM THE PUBLIC:

Mrs. Brenda Hlas, a former Council President and Norton resident, spoke regarding the status of the baseball fields. Mrs. Hlas asked for longer than the five (5) minutes because it is a little bit more involved, there were no objections. Mrs. Hlas stated that she prepared a spreadsheet along with a copy of the bid proposals (see Exhibit A). Mrs. Hlas stated that at a previous Committee of the Whole meeting, it was the general consensus that we do not have the money to do both fields. Mrs. Hlas stated she took some time to go through all of her documents and spoke with the Finance Director regarding her figures. Mrs. Hlas stated that she believes we do have the funds and we can do this. Mrs. Hlas reviewed her information on the spreadsheet she prepared, suggesting with the balance in the account, we would need an additional \$255,409.00 to do both fields without lighting. Mrs. Hlas indicated that as of Friday, May 19, 2006, there was an unencumbered amount of \$129,654.63 in the Park Fund. This means we would need to come up with approximately \$135,000.00 in order to build those fields. Mrs. Hlas rounded this figure up to \$150,000.00 and suggested we borrow this money for five (5) years, and estimated an annual payment of \$37,500.00 per year over the five (5) year period. Mrs. Hlas discussed the monies coming in from the Time Warner Franchise fees, and the fact that these fees were increased by 9% last December. Mrs. Hlas calculated that after the ball fields are paid for in five (5) years, we would have an annual net balance of \$9,637.70. Mrs. Hlas suggested that Council and Administration take another look at this to see if it is feasible. Mrs. Hlas stated that she believed Mr. Jones was on Council when this legislation was originally passed for the ball fields and using the revenue from Time Warner for the parks. Mr. Jones stated he was not really sure on this.

Communications from the Public continued:

Mayor Kernan stated that this was correct. Mrs. Hlas stated that the main focus for the Time Warner Cable money was for the parks. This money cannot be used for anything else, it is just sitting there collecting interest, and we are paying for ball fields that we don't have. Mrs. Hlas stated that she felt it is in the best interest of the city to borrow the extra money to build the fields, the funds are there to pay it back with a little bit left over for anything that may come up. Mrs. Hlas discussed the parks comprehensive plan, which was approved some time ago. Mrs. Hlas stated that there is still approximately \$30,000.00 left in this account for matching funds for the replacement of playground equipment. Mrs. Hlas discussed the fact that back in 2003 the Parks Board discussed applying for grants for either the lights for the fields or the fields themselves. Mrs. Hlas stated that to date, no one has applied for these grants, and she does not understand why. Mrs. Hlas stated that she did not feel we should hold off on these baseball fields any longer, we have already been paying on them for three (3) years. It seems like a waste of the tax payers money, because they cannot see what we are already paying for with the fields. Mrs. Hlas urged Council to please take a second look at this, and she would like to be informed when this is discussed so that she can attend the meeting to offer her comments or suggestions.

PUBLIC HEARINGS:-None

INTRODUCTION OF NEW LEGISLATION:

RES #50-2006

Mr. Price offered Res. #50-2006 for it's first reading, and asked the Clerk to read it:

A RESOLUTION ADOPTING THE CITY OF NORTON NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4929.26 OF THE OHIO REVISED CODE.

First reading only.

INTRODUCTION OF PRIOR LEGISLATION

ORD #49-2006

Mr. McGlone offered Ord. #49-2006 for it's second reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE 2006 BUDGET BY APPROPRIATING ADDITIONAL FUNDS AND TRANSFERRING UNENCUMBERED FUNDS BETWEEN ACCOUNTS.

Second reading only.

Introduction of Prior Legislation continued:

ORD #45-2006

Mr. Pelot offered Ord. #45-2006 for it's third reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE CITY OF NORTON ADMINISTRATIVE CODE UTILITIES REGULATIONS, SECTION 1040, BY REPEALING SECTION 1040.02.

Mr. Pelot moved to adopt Ord. #45-2006, seconded by Mr. Braman. Mr. Pelot stated that the reason for the repeal of 1040.02 is because it is now addressed in 1040.03 and 1040.02 and is no longer needed.

Roll Call: Yeas: Pelot, Braman, Jones, Mowery, McGlone, Price, Zita
Nays: None

Motion passed 7-0.

ORD #46-2006

Mr. Pelot offered Ord. #46-2006 for it's third reading, and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE A CONTRACT WITH THE FLOYD BROWN GROUP TO PREPARE PLANS AND SPECIFICATIONS FOR THE INSTALLATION OF WATER LINES FROM 3916 CLEVELAND MASSILLON ROAD NORTH TO NORTON MIDDLE SCHOOL, AND FROM THIS LINE WEST TO THE BRENTWOOD WATER PLANT, AND A LOOP CONNECTION ALONG GREENRIDGE ROAD EASTERLY TO DURHAM DRIVE, AND ALONG DURHAM DRIVE TO THE EXISTING WATER MAIN AT BROOKFIELD DRIVE IN THE CITY OF NORTON, AND TO AUTHORIZE THE ADMINISTRATIVE OFFICER TO APPLY FOR AN OHIO PUBLIC WORKS GRANT FOR THIS PROJECT

Mr. Pelot moved to adopt Ord. #46-2006, seconded by Mr. Braman. Mr. Pelot stated that part of this is for the engineering proposal. There were six (6) engineering firms that submitted their proposals, and the Floyd Brown Group came in as the lowest. Mr. Pelot stated that another part of this is to allow the city to apply for a grant for approximately 50% of the costs for this project. Mr. Jones discussed an error in the legislation under the first whereas clause, it should be Brookfield Drive not Brookhaven Drive, and asked to have a correction to the legislation. Mr. Collins concurred that Mr. Jones was correct, there is no Brookhaven Drive. Mr. Lyons stated this would be corrected accordingly. Mr. Jones also questioned the loop going into Durham Drive, and if the residents in Norton Acres would be allowed to tap into this line, and if so what was the size of the new line? Mr. Collins stated that yes, the residents in Norton Acres would be able to tap in, adding that this project goes right through the heart of Norton Acres. Mr. Collins stated that he was not sure on the size, this is something that is determined by the engineering study, it's possible that there is an 8-inch line at Durham Drive now. Mr. Jones stated that residents in Norton Acres have complained for several years about the water problems in Norton Acres. Mr. Collins agreed, adding that when he began working for this city, there was a petition by some of the residents in Norton Acres for the city to do something about their water.

Introduction of Prior Legislation continued:

Mr. Pelot stated that he was one of those residents that signed this petition. Mr. Collins stated that this petition fell apart, and Akron General had proposed the same plan, which never materialized. Mr. Jones stated that the total costs for the engineering is \$39,262.00. Mr. Jones stated that he could agree with this plan, as well as some of the comments made by Mrs. Tompkins in the past. Mr. Price confirmed that this legislation is just for the engineering and applying for the grant. Mr. Collins stated that was correct, and this will be coming back to Council several times, such as a resolution for necessity, just like we did with Gardner Blvd. Phase II. Mr. Jones asked Mr. Collins how much he pays monthly for water since he lives in this area? Mr. Collins indicated that he pays between \$25.00 to \$30.00 per month just for water, sewer is billed quarterly. Mr. Pritchard stated that it's possible that the city might receive even more than a 50% match on this grant application.

Roll Call: Yeas: Pelot, Braman, Jones, McGlone, Mowery, Price, Zita
Nays: None

Motion passed 7-0.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS

Mayor Kernan recognized Ms. Colene Conley, who will be leaving the city at the beginning of June. Mayor Kernan stated that Ms. Conley has always performed her duties with professionalism and grace, and was very well organized while continuing her education. Mayor Kernan stated that zoning enforcement is one of the most thankless jobs in the city and extended his sincere thanks and wished her well in the future.

Mr. Collins echoed Mayor Kernan's statements regarding Ms. Conley. Mr. Collins stated that he would miss Ms. Conley, her knowledge and her helpfulness. Mr. Collins stated that all you had to do was point her in the right direction, and she was there ahead of you. Mr. Collins indicated that he is working on an agreement for reimbursement of fees for the waterline at Strickland's Ice Cream, and he has discussed this with Mr. Lyons. Mr. Collins indicated that once the details are worked out this would be presented to Council. Mr. Collins indicated that the Gardner Blvd. Phase II bids would be coming to Council shortly for their approval.

Mr. Pritchard stated that he felt our city is losing a very good person with Ms. Conley leaving, she has done a wonderful job. Mr. Pritchard stated that he would be bringing an Illicit Discharge Ordinance to Council soon as part of our requirements of the Storm Water Phase II Regulations.

Mr. Lyons stated that he also would miss working with Ms. Conley, and that she has been very professional to work with.

OLD BUSINESS

Mr. Jones inquired of Mayor Kernan if he has reached any type of an agreement with the residents of Frashure allotment in regards to the sheds on park property? Mayor Kernan replied that he is working out the details with Mr. Lyons first to see if his idea is possible before presenting it Council and the residents.

Old Business continued:

Mr. Jones asked to be provided with a copy of the proposed agreement when completed and Mayor Kernan stated that this would be provided.

Mr. Pelot asked if Mr. Pritchard has begun preparing the plans for the road levy issues. Mr. Pritchard indicated that he has been working on this and has three (3) pages drafted already. Mr. Pritchard stated that there are so many variables such as; the length of the millage, Cleveland-Massillon Rd., existing failed or no-plow roads, State projects slated for 2010, local match money that we are obligated to, etc. Mr. Pritchard stated that although a levy would generate a lot of money for repairs, we have many roads that need repaired or completely replaced. Mr. Pritchard stated that we have \$200,000.00 of which we are responsible for in the Wadsworth Road project We have a \$2,300,000.00 project on St. Rt. 21, we will have a \$460,000.00 financial obligation in that same year. In addition to this we are also responsible for all storm drainage upgrades along St. Rt. 21, and we have intersection issues, just to name a few. Mr. Pritchard stated that each road will be unique because some roads would require a complete full depth replacement, and some roads would require a mill and fill process, it's just all over the place. Mr. Pelot suggested that Mr. Pritchard illustrates just a few of these variables and have this ready for the June 5, 2006 Committee meeting if possible. Mr. Pritchard indicated that he would have something prepared for Council's review by this time frame.

NEW BUSINESS:

Mr. Jones discussed I-76 being redone by the State from the Wadsworth line all the way into Kenmore. Mr. Collins stated that this proposed project is from St. Rt. 21 interchange all the way to the Barberton Corporation limit. Mr. Collins indicated that the eventually this will be increased to three (3) lanes in each direction, and that this is about 10 years away from being started. Mr. Pritchard stated that the Kenmore leg area is to be a separate project, and would start out in the Akron area first.

Ms. Conley thanked all of the past and current Mayors and Council Members that she has worked with, adding that today she is celebrating her sixth (6) anniversary date with the City of Norton. Ms. Conley shared an inspirational message with everyone from the Bible-John 15: 13-15: *“Greater love have no man than this, that a man lay down his life for his friends, I have called you friends. We are not made for brilliant moments, but we have to walk in the light of them in ordinary ways, I have called you friends. Stand loyal to your friend, and remember that HIS honor is at stake in your bodily life”*.

PUBLIC SERVICE ANNOUNCEMENTS:

Mr. Pelot stated that it has been great working with Ms. Conley, and she will be missed. Mr. Zita wished Ms. Conley good luck in her future endeavors.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:34 PM.

Michael Zita, President of Council

I, Karla 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 12, 2006.

Karla Richards, Clerk of Council

Date approved: June 12, 2006

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