



**COMMITTEE WORK SESSION
OCTOBER 15, 2007**

Committee Members Present: Ken Braman
Brenda Hlas
Tom Jones
Bill Mowery
Mike Zita
Scott Pelot-Excused
Dennis McGlone

Also Present: Mayor James A. Price-Excused
Rick Ryland
John Moss
Mike Lyons
Jeff Pritchard
Karla Richards
Ann Campbell

The Committee Work Session convened on Monday, October 15, 2007 at 7:01 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Council President, Dennis McGlone. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

Committee Work Session General Discussion:

CRC Resolution #10-2007 Non-Partisan Elections:

Mr. McGlone turned the discussions over to Mr. Lyons for the details. Mr. Lyons questioned Ms. Vimont, (Chair of the Charter Review Commission) about the proposed language. Ms. Vimont stated that she researched Green and New Franklin and that they have the option for a primary unless they have one (1) more than two (2) times the candidates. For the Mayor you would need four (4) or more candidates, and for the three (3) Council At Large candidates you would need eight (8) candidates. Ms. Vimont stated that for the ward Council seats, you would need to have four (4) or more candidates in order to have a primary election, if any positions are less it would then go to a General Election. Mr. Lyons stated that in the absence of that language in the Charter, it would be a General Election no matter how many candidates are running. Mr. Lyons indicated that by default the State law would apply if you removed the reference to partisan election. This would leave you with State law that does not call for any primary. However, if your intent is to weed out crowded candidates, you may want to do something very specific like Green and New Franklin. Ms. Vimont indicated that the last meeting for the Charter Review Commission would be November 7, 2007.

CRC Resolution #10-2007 Non-Partisan Elections continued:

Mrs. Hlas stated that we might need to continue looking at this since we are not in a big rush. Ms. Hlas stated that generally the primary does not get a very good voter turnout. Mrs. Hlas stated that she would like to continue this discussion so that she could research the numbers for voter turnout with Green and New Franklin and with the Summit County Board of Elections. There was no objection to leave this on Matters Referred list.

CRC Resolution #11-2007 Appointment of CRC:

Ms. Vimont stated that we have proposed to meet every three (3) years and for no more than eighteen (18) months. Mr. McGlone stated that most of Council agreed to keep it at five (5) years, however they were undecided on the length of time they could meet. Mrs. Hlas stated that we need to define the time and felt it should be somewhere between twelve (12) to eighteen (18) months. Mr. Jones suggested five (5) years and fifteen (15) months. Mrs. Hlas stated she was ok with (5) years and twelve (12) months, and Mr. McGlone agreed. Ms. Vimont stated that the time frames for other communities are all over the place. Mr. Jones asked how long they have been meeting, and Ms. Vimont replied since February 2006, and they chose to meet once a month. Mr. Jones stated the he would like to see them meet twice a month, they would get more accomplished. Ms. Vimont suggested twelve (12) months from the date of the appointment, because it can take time to get the members selected. Mr. McGlone moved to place legislation on Councils next agenda for the Charter Review Commission to convene every five (5) years for twelve (12) months from the date of their first meeting, seconded by Mr. Zita.

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

Motion passed 6-0.

CRC Resolution #12-2007 Amendments to the Charter:

Ms. Vimont stated that this issue came up because the Charter is against State Law, and we felt this needs to be consistent. Ms. Vimont indicated that it was brought up at the last meeting that we should insert a reference to the State law, and Mr. Jones asked Mr. Lyons to explain his view. Mr. Lyons stated that this would eliminate any debate. Mr. Zita stated that language was suggested to reflect "ten percent of the number of voters in the last General Election or in correlation with State law". Mr. Zita agreed with this adding that if we change the Charter now to reflect State law and State law changes then we would need to change the Charter again. Mr. Lyons stated that if it were proposed to say percentage of those who voted in the last election that is what it would be since it is a Constitutional provision and less likely to change. Mr. Lyons stated that is why there was some confusion because even the language in the Constitution was ambiguous and it is similar to what is in your Charter. Mr. Lyons stated that there was another Constitutional provision has been the subject of litigation.

CRC Resolution #12-2007 Amendments to the Charter continued:

Mr. Lyons stated that if the Constitution were to change and your Charter conflicted with it, then the Constitution would prevail over your Charter. Mr. Lyons stated that this is not just a State statue it is a State Constitution that is contrary to the language of the Charter. Mr. Moss stated that the Constitution provides what it would be if there were no home rule. Mr. Moss stated that there was a case decision that stated home rule does not apply and you have to go with the State Constitution. Mr. Moss stated that he understood that by going with the State provision is what we wanted to do, which eliminates the possibility of it changing. Mr. Lyons stated that perhaps a better way is to not define is so explicitly because then the language will be different than what it is in the Constitution. It may be better to reference "consistent with State law". Mr. McGlone moved to place this on Councils next agenda with the reference to State law, seconded by Mr. Jones.

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

Motion passed 6-0. Ms. Whipkey, a Norton resident, stated that she would rather see the reference to ten percent because the people should have a better idea of how many signatures they need to get. It should be easier for the people to take care of our own Charter. This is one reason it was overturned, to make it easier. Ms. Whipkey stated that if Mr. Jones was not working with an attorney for his petition, we may not have known about the case law being overturned, which would have resulted in the residents having to go out and gather more signatures. Ms. Whipkey discussed the Mayors position changing from part-time to full-time and how many times this has been discussed. Ms. Whipkey stated that if the Charter Review Commission met every three (3) years instead of five (5) it could be addressed sooner. Ms. Whipkey stated that in the beginning the Charter Review Commission worked on suggestions from the Administration and what they wanted. Ms. Whipkey stated that it took the citizens a while to get involved and use their own suggestions. Ms. Whipkey suggested the burden should lie with the Law Director to point out the discrepancy.

PC Resolution #8-2007 Major Site Plan review:

Mr. Braman stated that this is to expand the existing fire district at Englefield Oil to install additional tanks. Mr. Braman stated that he spoke with the Fire Chief today and he is comfortable with the retention system they are installing. Mr. Jones clarified that this is in Ward 1 at St. Rt. 21 and St. Rt. 261. Mr. Braman moved to add this to Council's next agenda, seconded by Mrs. Hlas.

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

Motion passed 6-0.

Accepting County Rates and Amounts:

Mr. Jones stated that this is in regards to the money received from the levies and that the County needs this by November. Mr. Moss stated this is an annual resolution and needs to be to the County by the first Wednesday in November. Mr. Moss stated that last year Council passed Res. #91-2006 and this year it is the same format adopting the recommended rates. Mr. Moss recommended suspending the readings in order to adopt in a timely manner. Mr. Jones stated that this reflects the fire levies that were passed in 1988 and 1995 and is nothing new. Mr. Jones stated that if Issue #38 is approved by the voters in November, this would not be added until next year at this time. Mr. Jones moved to add this item to Council's next agenda, waiving the second and third readings, seconded by Mrs. Hlas.

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

Motion passed 6-0.

Unfinished Business:

None

New Business:

Mr. Zita announced the Norton Fire Dept. annual Pancake Breakfast on Saturday, October 20, 2007 from 7:00 AM to 12:00 Noon at Station #1. Tickets are \$6.00 for adults, children twelve (12) and under are \$3.00, five (5) and under are free. Breakfast includes all you can eat/drink; pancakes, sausage, orange juice and coffee. Mr. Zita thanked Acme for donating all of the food and supplies. Mrs. Hlas added that the Fire Dog would be there and residents can also tour the facility.

Mrs. Hlas reminded everyone that Saturday October 27, 2007 the Panther Parents Athletic Booster Club is having a Night at the Races at the Moose Club. The dinnertime has been changed from 6:00 PM to 7:00 PM because of Trick or Treat. Tickets are \$15.00, and can be purchased at the football game or contact any Panther Parent, check the school website for their names and numbers. Mrs. Hlas announced a Town Meeting she is holding at the Community Center on October 23, 2007 from 6:00 PM to 8:00 PM. Mrs. Hlas stated that the topics would be; Fire levy, Police Charter amendment, other Charter amendments, and anything else the residents would like to discuss. Mrs. Hlas stated that she believes there will be many residents attending because she has received several phone calls, so residents might want to be there early

Public Comment-Non-Agenda Items:

Mr. McGlone reminded the public to address Council as a whole. Mr. McGlone stated that this has been getting out of hand lately, adding that he would not tolerate any more disruptive behavior. Mr. McGlone stated that if anyone fails to comply, he would have to use his gavel.

Mr. Gilbert Chaney, a Norton resident, spoke about his recent visit to the Fire Dept., and the poor condition the trucks and building are in. Mr. Chaney stated that he heard the city is \$5,000,000.00 in debt and that the interest alone is \$300,000.00 annually and questioned how the city got to this point? Mr. Chaney stated that approximately forty (40) percent of the budget goes to the Police Dept, and that we are one of the highest paid in the county. Mr. Chaney stated that the city tried to get this department to cut back, and what did they do but turn around and sue the city for a very large amount. Mr. Chaney discussed the statements made by Mr. Canfora at a previous meeting that it would cost the city more money to switch. Mr. Chaney stated that he was amazed of all of the lies and misinformation. Mr. Chaney wanted the public to know that Mr. Canfora is a Wadsworth Police officer. Mr. Chaney discussed the lack of business in the area and the fact that we are in competition with other communities for business. Mr. Chaney stated that all we have at our off ramps are two (2) gas stations. Mr. Chaney stated that Council seems to make one mistake after another, and the city is a laughing stock of the entire area and even on the nightly news in Cleveland. Mr. Chaney stated that we should make it simple and vote yes on all ballot issues.

Mr. Richard Easterling, a Norton resident, spoke regarding the English language issue, and read a statement (see attached).

Mr. Jim Lino, a Norton resident, spoke regarding a fifteen (15) MPH speed limit sign in his area. Now that sign is gone and there is a twenty-five (25) MPH sign with another sign right in front of that states "Slow-Children at Play".

Mr. George Tomko, a Norton resident, stated that he would like to compliment some members of Council, however he cannot mention any names. Mr. Tomko discussed Mr. Easterling's comments about English language. Mr. Tomko stated Mr. Easterling's grandchild would learn English because this is what is taught in school. Mr. Tomko stated that what made this country great are people like Mr. Easterling's grandchild. Mr. Tomko stated that his Grandparents came here to this county and they learned to speak English because they had to. Mr. Tomko stated that all of these immigrants assimilated into this Country, unlike some immigrants that have their own little communities, their own stores, churches, etc. They will not learn our language, and this nation was founded as an English speaking nation under God, what more could you ask for? Mr. Tomko stated that he felt this subject should stay on the agenda.

Public Comment-Non Agenda Items continued:

Mr. Tomko stated that he is very proud to be an American and a Veteran of the United States. Mr. Tomko stated that he was fortunate not to see any combat, unlike some that he knew very well that were not so fortunate.

Ms. Amy Addis, a Norton resident, spoke regarding the Summit County Sheriff's issue, and read a statement (see attached).

Ms. Charlotte Whipkey, a Norton resident, questioned how many full-time fire fighters do we currently have including the Chief? Mr. Ryland replied three (3) and that includes the Chief. Ms. Whipkey stated that she understood there was a contract with former Chief Calco, and asked if this was true? Mr. Ryland stated that he has no copy of any such contract, so he assumed there was no contract. Ms. Whipkey stated that when Chief Calco resigned there was money exchanged, and asked why and how much? Mr. Ryland stated that former Chief Calco did receive a severance pay which includes vacation days, sick days, comp time that are in the union contracts, however he was not aware of the amount. Ms. Whipkey asked why didn't we go with an in town fireman from the beginning since we ended up with Mr. Schultz anyway? Mr. McGlone stated that it was the former Administration and Civil Service that was involved with the hiring. Ms. Whipkey stated that she also agrees with the English language. Ms. Whipkey stated when people come to this country, they should learn our language. Ms. Whipkey stated that she has a problem with the City of Euclid because they are trying to make it easier for minorities to become a part of Council and other city appointments. Ms. Whipkey stated that these people don't register and they don't vote, and then you are going to make exceptions for them to be part of the government. We would be segregating ourselves by doing this.

Mrs. Elaine Tompkins, a Norton resident, spoke regarding the Summit County Sheriff issue, and read a statement (see attached).

Ms. Megan Booth, a Norton resident, directed her comments to the citizens. Ms. Booth stated that the sheer volume of information on the city web site does not indicate the correct information. Ms. Booth stated that if a Sheriff Deputy were paid thousands of dollars more than a Norton Police Officer, why would a Norton Police Officer not want a pay raise? What does this cost per officer not include; overhead, cars, uniforms, radios, etc., when the Sheriff includes all of that. Ms. Booth stated that many of the city's information starts out with "probably", which means that they did not get all of their information before they put out on the website. Ms. Booth asked which officers were included when calculating for the actual costs, and which one officer was excluded and why? If Council could keep this department to a budget, then why didn't they do so before?

Public Comment-Non Agenda Items continued:

Ms. Booth stated that Council knows better than the average citizen that this city does need money because there are lawsuits involving the police and money, and that is why no one is talking about it. Ms. Booth stated that the only thing that is consistently growing in Norton today is the police budget, and by \$100,000.00 per year since 2000. Ms. Booth thanked Mr. Collins and the current Council for that legacy. Ms. Booth discussed another legacy from Mr. Collins was letting the Fire and EMS run out of money, and who is helping them raise money? Why does the Fire Dept. have to sell their t-shirts, however the Police Dept. are giving theirs away, not to mention all of the money being spent on advertising and billboards. Ms. Booth commented on all of the residents who normally do not attend Council or Committee meetings that are now coming out of the woodwork to tell us what a great job the Police Dept., is doing. Ms. Booth stated that she has seen a lot more of police activity lately, and questioned why, and will this continue after the elections are over?

Ms. Gayle Brenner, a Norton resident, reminded everyone that just because the Police Dept. budget is at \$2,400,000.00 does not mean that is what is spent. Ms. Brenner stated that she understands that they are currently under budget. Ms. Brenner discussed recent articles in the local papers regarding stating that the Sheriff's Office has not given a concrete price, so how could anyone possibly vote for them if you don't know what you are paying? Ms. Brenner stated that she is very satisfied with the Norton Police Dept., and that she has lived here since it was a village and can recall when we became a city. Ms. Brenner stated that she has always known at least one of our officers on the force, and cannot imagine living in this community without our own Norton Police Dept.

Topics for the next Work Session:

Mr. McGlone stated that last week he contacted several of the Council members regarding the English language, and they felt we should not be pursuing the English language because they felt it is a State issue. Mr. McGlone stated that he did not reach everyone but after reaching most he asked to take a vote to leave the English language on the Matters Referred list.

Roll Call: Yeas: Braman, Mowery, Jones
Nays: Hlas, Zita, McGlone

Motion tied 3-3. Mr. McGlone stated that since this is a tie vote, Council would wait until the next Work Session for Mr. Pelot to be present. Mr. McGlone explained to Mr. Tomko that if this does not pass at the next meeting, we will have the November elections and possibly new Council members and this could be addressed at that time. Mr. McGlone stated that Council rules would be discussed next year after Council elections.

Mr. Jones stated that he spoke with Mr. Moss on Sunday morning on another matter, which we already discussed this evening. Mr. Jones stated that he did question Mr. Moss on the total wages for the Norton Police Dept. for 2006, including all officers, dispatchers and secretary. Mr. Moss' reply was \$1,350,170.61, and that was just for wages only and nothing else.

Mrs. Hlas reminded everyone that this is the only department in the city that is open 24/7. Mrs. Hlas stated that on Saturday she handed Mr. Jones a memo asking him to provide the real numbers and asked if he had the figures with him tonight? Mr. Jones replied that Mrs. Hlas already has that number, he received a proposal for \$1,182,128.00 and that is what he stands by. Mrs. Hlas stated that in the West Side Leader last week Mr. Jones stated that he asked the Norton Police Dept. to come to him anonymously to discuss real numbers with him. Mrs. Hlas stated they already have that number. Mrs. Hlas stated Mr. Jones is saying there is a savings of \$1,400,000.00 and that she is glad this came up because now she knows where he is coming from.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:17 PM.

Dennis McGlone, President of Council

****NOTE: THESE MINUTES ARE NOT VERBATIM****

All Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted. If you do not have access to Time-Warner Channel #15, you may request to view a copy of any VHS recorded meeting in Council Chambers. Please contact Ann Campbell in the Administration office to make the necessary arrangements at (330) 825-7815 ext. 14.