



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, OCTOBER 22, 2007**

Roll Call: Ken Braman
Brenda Hlas
Tom Jones
Dennis McGlone
Bill Mowery
Scott Pelot
Mike Zita

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

The Regular Council Meeting convened on Monday, October 22, 2007 at 7:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Dennis McGlone, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE:

Mr. Braman commented on a second meeting he attended recently with the business owners on Newpark Drive along with Mr. Ryland, Mr. Moss, Mr. Pritchard, and Mr. Weinsheimer. Mr. Braman stated that five (5) business owners attended, and that Mr. Ryland would provide more details at the end of the meeting.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of October 9, 2007; Mr. Jones noted one correction to page #2 the last sentence of Mr. Van Sickle's comments, it should read Issue #45 not Issue #5. The minutes were approved as corrected.

Minutes of the Committee Work Session of October 15, 2007 were approved as written.

COMMUNICATION FROM THE PUBLIC:

Ms. Cathy Cockfield, from Summit County ADM Board spoke briefly on behalf of Mr. Don Davies. Ms. Cockfield stated that the ADM Board is promoting Issue #20 for the November election. Ms. Cockfield stated that the ADM Board serves twenty-two (22) thousand people through direct treatment for alcohol, drug, and mental health issues within Summit County. Ms. Cockfield stated that it has been twelve (12) years since they have had an issue approved. Ms. Cockfield stated that this is a levy with reduction in the millage amount however the property values have appreciated. This equates to about \$7.00 per month for a \$100,000.00 valued home. Ms. Cockfield stated that they have served approximately seventeen hundred (1,700) veterans as well as citizens who do not have insurance. Ms. Cockfield stated that there are thirty (30) agencies that provide these services and they employ approximately fifteen hundred (1,500) people. Ms. Cockfield stated that they have a website, www.admboard.org and encouraged everyone to review the website. Mr. McGlone clarified that if approved it does not take effect until 2009.

COMMUNICATION FROM THE PUBLIC continued:

Mr. McGlone reminded the residents to address council as a whole, no individual names, and the five (5) minute rule. Mr. McGlone stated that disruptive behavior, name calling, etc., would not be tolerated, and that if anyone fails to abide by these rules, they would be gaveled and asked to either sit down or leave.

Mr. Charlie Lemon, a Norton resident, spoke regarding Issue #45. Mr. Lemon stated that this issue should not even be on the ballot. Mr. Lemon stated that he was on Council in 1990 and that the Council President is to control what is on the agenda, as well as the Council members. Mr. Lemon stated that Council turned this issue down last fall 6-1. Mr. Lemon reminded the Council President that if a member fails to abide by the rules, Council could issue a reprimand or remove a Council member. Mr. Lemon questioned how in the world it ever got on the ballot? How can someone run for Mayor or Council and not support our Norton Police Dept.? Mr. Lemon stated that this is a very serious situation, and it is not a joke. This is a personal vendetta, you did it to Chief Walters and now against Chief Carris. Mr. Lemon stated that he has known Chief Carris since he was a young man, and got his first speeding ticket from Chief Carris. Mr. Lemon stated that he has heard about the Police Dept. employees being harassed, and impeding with their duties. Mr. Lemon urged the residents to wake up and support your Norton Police and Fire Departments; they are the ones that protect you. Mr. Lemon stated that for the people who are running for office who do not support our Police and Fire, should do the manly thing and step down when this is all said and done.

Mr. Andrew Lehner, a Norton resident, reminded everyone about Halloween next week and cautioned everyone to be safe. Mr. Lehner stated that he does support the Norton Police Dept., and that he looked at the numbers and met with Chief Carris last week. Mr. Lehner stated that he has been thinking of this for the last three (3) months. Mr. Lehner stated that we need safety in this city, and the Sheriff's Office is not going to do anything for us. Mr. Lehner stated that he has been reading the minutes from the last five (5) months of meetings held, he was appalled at what has been going on with this issue. Mr. Lehner stated that the citizens need to use their heads with this issue.

Mr. Dave Koontz, a Norton resident, stated that while going door to door campaigning recently, he was encouraged with the resident's support for the Norton Police Dept. Mr. Koontz urged the residents to vote no on Issue #45. Mr. Koontz reflected on his personal experience with the Norton Police and Fire/EMS Dept., with his mother-in-law when she fell at home. Mr. Koontz stated that they responded very quickly to their needs. Mr. Koontz discussed his daughters concerns about the issue, and the fact that she is very shocked about the whole idea.

Ms. Kathy Cunningham, a Norton resident, stated that Issue #45 is no joke and she is very concerned and embarrassed and felt compelled to come and speak tonight. Ms. Cunningham stated that she does not agree with the Ward One Councilperson. Ms. Cunningham stated that Mrs. Hlas has done her research and she trusts her numbers as well as Mr. Ryland's and they seem to come to the same conclusion. Ms. Cunningham stated the savings are not going to happen when you outsource. Ms. Cunningham stated that she provides outsourcing services for a living. Ms. Cunningham questioned how disputes would be handled, overages, and increases? What happens if we are unhappy with their services, response times, etc?

COMMUNICATION FROM THE PUBLIC continued:

Ms. Cunningham stated that you are asking the residents to go to the voting booth and play Russian roulette with a revolver. There is no guarantee for any of this. Ms. Cunningham stated that she is embarrassed by the Norton politics, newspaper articles putting our officers down, stating that that they have cushy jobs and they don't deserve benefits. Ms. Cunningham expressed her concerns about the signs and the petitions and that they were not represented well, and were misleading to the citizens, and she questioned the integrity of the petitions. Ms. Cunningham discussed the previous comments by Ms. Booth that the Norton Police officers would have to pass background checks and medical exams. Ms. Cunningham stated that these officers don't do it to get wealthy, they do it because they love their job, and they love their city. Ms. Cunningham discussed the salary issue and questioned if any of the resident's work and not expect to get an increase in their salary? Ms. Cunningham asked Council to work on getting infrastructure in this city; we should be growing just like Wadsworth. Ms. Cunningham called for legislation to be passed to get some of the property around Norton cleaned up. Ms. Cunningham stated that the commercial tax base needs to be worked on. Ms. Cunningham stated that the City of Norton is a very safe, and calm community to live in because we have an experienced Norton Police Dept.

Ms. Amy Addis, a Norton resident, spoke in support of the Fire and EMS levy, and read a statement (see attached).

Ms. Megan Booth, a Norton resident, discussed Ms. Cunningham's statement on outsourcing, and that there is a difference from business and non-profit. Ms. Booth stated that the Norton Police Department's increases and that the \$100,000.00 each and every year since 2000 does not come up to three (3) percent. Ms. Booth stated that the Norton politics and the childish antics also embarrasses her and everyone should stop. Ms. Booth stated that Ms. Cunningham wants to see infrastructure, that's great but we are \$5,000,000.00 in debt now so how is this going to be paid for? Ms. Booth mentioned a citizens website, we tried to contact the Administration to address the fifty questions on the city website, and we were not allowed to offer information from the other side. Ms. Booth stated that we are trying to get the word out from both sides. Ms. Booth stated the website is www.nortoncitizensfordollarsandsense.com. Ms. Booth stated that the city needs to cut costs and that the twenty-seven (27) or twenty-nine (29) employees are not all officers as stated, some are dispatchers who are not trained, nor is the Secretary. Ms. Booth stated that the Norton Police Dept. does a great job, however there is no reason they cannot become a Sheriff Deputy with more opportunity in the Summit County Sheriff's Office. Ms. Booth stated that she never stated that these employees do not deserve health care, they do deserve healthcare because of the job they do, but questioned health care being one hundred (100) percent paid. We have retirees who can't afford their medications and yet we have employees with 100% paid health care.

Ms. Charlotte Whipkey, a Norton resident, urged the residents to vote yes for Issue #39, which strengthens the residency for the Mayor, Issue #43, which stops the 122 percent increase for the Mayor. Issue #44, which removes the power from Council to set their own raises, Issue #46 deals with appointments, we vote them out and then they get back in. Ms. Whipkey stated that this makes our votes count when we get done at the ballot. Ms. Whipkey stated that these are all good for the people, and urged everyone to vote yes.

COMMUNICATION FROM THE PUBLIC continued:

Ms. Gayle Brenner, a Norton resident, praised the Norton Police and thanked the Fire Dept. and Acme for the wonderful breakfast on Saturday. Ms. Brenner stated that she read an article that the Sheriff's Office would not provide the city with a contract until they are voted in. Ms. Brenner stated that she would not sign on the dotted line for a car without knowing what she is getting. Ms. Brenner stated that she has asked the Ward One Councilperson for eight (8) weeks for him to provide a breakdown to show what is included in this. She has also asked him for a copy of the proposal, which she never received. Ms. Brenner stated that in the 1980's the city didn't have Trick-or-Treat in her neighborhood and she organized one. She contacted the Norton Police and notified them when her neighborhood was holding Trick-or-Treat and they came out and patrolled the area. Ms. Brenner asked how could you put a price on our officers when they put their lives on the line everyday? Ms. Brenner asked Council and the mayoral candidates how could you expect the residents to vote for you when you go behind our backs with something like this? If you can go behind our backs with something like this, then what else would you do behind our backs when you get into office?

Mr. Mike Meden, a Norton resident, commented on a speech by President Lincoln, which states "*The struggle of today is not all together for today, it is also for the vast future*". Mr. Meden stated that these words ring very true for Norton today, it's one hundred and forty (140) years later and very right. Mr. Meden stated that if Issue #45 passes it's forever and we are giving away part of our infrastructure and our local control and this is an absolutely horrible idea. Mr. Meden discussed the arguing of numbers and that he has two (2) numbers that are not in dispute; one is the cost for a Sheriff Deputy versus the cost of one of our Norton Police Officers, which is a little over \$4,000.00 more for a Sheriff Deputy. Mr. Meden questioned how there would be any savings with less officers? Mr. Meden stated that he believes the numbers on the city web site and the savings stated by Mr. Moss of about \$144,000.00 per year by cutting our forces in half and giving up our local control. Mr. Meden stated that we have 11,000 residents and that savings would be \$13.14 per citizen. Remember that when you call for an officer and two minutes will seem like an hour. Mr. Meden stated that there is nothing wrong with the Norton Police Dept., if we need to talk about saving money then why don't we do that with our own force? Mr. Meden stated that it's like your doctor telling you that you need to lose weight, and so you cut off your right leg. You may have lost some weight but that's not the right way to do it. Mr. Meden stated that the Norton Police Political Action Committee (PAC) has been endorsed by the South Summit Chamber of Commerce, Barborton Herald, and other businesses, so let's support them by voting no on Issue #45 because it's the right thing to do.

Mr. Norman Kendall, a Norton resident, stated that the Norton Historical Society is selling bricks for the walkway at the Lahr House. Mr. Kendall encouraged the current Council members and the Mayor to purchase a brick and promote the Norton Historical Society. Mr. Kendall stated that anyone interested could contact Mr. Tomko, Ms. Snyder or himself.

Ms. Elaine Tompkins, a Norton resident, commented on statements made last week regarding the wages for 2006 for the Norton Police Dept., which was publicly announced as being \$1,350,170.61. Ms. Tompkins stated that this figure is more than just wages as previously stated, it is also for wages and overtime.

COMMUNICATION FROM THE PUBLIC continued:

Ms. Tompkins stated that the actual amount spent in 2006 was \$1,391,220.42 which includes a contract that was agreed to on June 6, 2006 which was retro active and the city paid them additional money. Ms. Tompkins stated that she liked Mr. Meden's sincerity and trust in the figures, however she checks everyone's figures.

Mr. Phil Canfora, a Norton resident, discussed the Norton Citizens for Dollars and Sense web site and their information posted. Mr. Canfora stated that he does see the dollars but not the sense. Mr. Canfora discussed the number of employees and their patrol activity. Mr. Canfora discussed the three (3) minute response time at a recent accident, which was on the front page of the Barberton Herald. Mr. Canfora stated that the radios for these officers alone would cost \$593,000.00. Mr. Canfora questioned the extra detail costs for things like the Cider Festival, parades, etc, and where would this money come from? Mr. Canfora stated that as of today the Norton Police Dept. is still under budget. Mr. Canfora mentioned figures of possibly \$50.00 per dispatch call to south central dispatch, its not in their proposal either, which by the way is nearly two years old now. Mr. Canfora stated that this so-called proposal is only one page, plus one paragraph long, and this is going to replace our Norton Police Dept? Mr. Canfora discussed the proposal of three (3) cars being on the road, and in order to have that you need a total of five (5) vehicles, and that would mean an additional \$62,000.00 per year for more vehicles. There is nothing about supplies, alcohol testing, police tape, etc. Mr. Canfora stated that you also need Detectives and that he was a Detective for seven (7) years and is well aware of what goes on there. Mr. Canfora stated that there are eight (8) Detectives at the Sheriff's Office, five (5) of them are assigned to Special Detail Task Force, that leaves you with three (3) Detectives to handle everything else. Mr. Canfora stated that he is told that they would only respond to felonies. Mr. Canfora stated that the City of Green pays for three (3) additional officers and two (2) of them are Detectives in order to have better coverage. Mr. Canfora stated that it would cost \$1,000,000.00 to disband the Norton Police Dept, for pensions, vacation, and other things. If you add all of this there is no savings, and there could actually be an increase in costs. This is what we call coupon savings, what the large print gives the small print takes it away, and we don't even have the small print yet so let's hope that we don't find out.

Mrs. Hlas stated that she would be explaining that the Police Department has not increased \$100,000.00 each year; that the \$5,000,000.00 debt is being paid by certain resources; and the health care issues at her town meeting tomorrow night.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

RES #71-2007

Mr. Jones offered Res. #71-2007 for it's first reading, and asked the Clerk to read it:

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE SUMMIT COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE SUMMIT COUNTY FISCAL OFFICER.

Mr. Jones moved to waive the second and third readings, seconded by Mr. Braman. Mr. Jones stated that this addresses our current levies from 1988 and 1995. Mr. Moss stated that this is a renewal type process that is necessary and classified this as house keeping.

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

Motion passed 7-0.

Mr. Jones moved to adopt Res. #71-2007, seconded by Mr. Braman.

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

Motion passed 7-0.

ORD #72-2007

Mr. Zita offered Ord. #72-2007 for it's first reading, and asked the Clerk to read it:

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND SECTION 7.01 OF THE CHARTER OF THE CITY OF NORTON TO LIMIT THE CHARTER REVIEW COMMISSION'S TERM TO NO MORE THAN 12 MONTHS FROM THE DATE OF ITS FIRST MEETING

First reading only.

ORD #73-2007

Mr. Zita offered Ord #73-2007 for its first reading, and asked the Clerk to read it:

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND SECTION 10.01(A) OF THE CHARTER OF THE CITY OF NORTON TO ESTABLISH THE NUMBER OF SIGNATURES REQUIRED ON A PETITION TO PLACE A CHARTER AMENDMENT ON THE BALLOT TO BE IN CONFORMANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF OHIO.

First reading only.

INTRODUCTION OF NEW LEGISLATION continued:

ORD #74-2007

Mr. Braman offered Ord #74-2007 for it's first reading only, and asked the Clerk to read it:

AN ORDINANCE TO MODIFY THE FIRE DISTRICT LOCATED AT 3672 WADSWORTH ROAD TO ALLOW AN INCREASE IN BULK STORAGE CAPACITY FROM 125,000 GALLONS TO 221,000 GALLONS.

First reading only.

INTRODUCTION OF PRIOR LEGISLATION

ORD #66-2007

Mrs. Hlas offered Ord. #66-2007 for its second reading, and asked the Clerk to read it:

AN ORDINANCE DETERMINING THE VIDEO SERVICE PROVIDER FEE TO BE PAID BY A VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE CITY PURSUANT TO A VIDEO SERVICE AUTHORIZATION; AUTHORIZING THE MAYOR TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE VIDEO SERVICE PROVIDER FEE; AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the third reading, seconded by Mr. Pelot.

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

Motion passed 7-0.

Mrs. Hlas moved to adopt Ord. #66-2007, seconded by Mr. Pelot. Mrs. Hlas stated that this is called VSP (Video Service Provider) and new State law requires all VSP's to go through the State. Mrs. Hlas indicated that if any new VSP's were to come into Norton, we only have ten (10) days to notify them, and that this also turns the authority over to the Mayor to address in a timely manner.

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

Motion passed 7-0.

INTRODUCTION OF PRIOR LEGISLATION continued:

ORD #67-2007

Mr. Mowery offered Ord. #67-2007 for it's second reading, and asked the Clerk to read it:

AN ORDINANCE TO APPROVE A MUTUAL AID AGREEMENT BY AND BETWEEN THE CITIES OF NORTON AND FAIRLAWN, THE VILLAGE OF RICHFIELD, THE TOWNSHIPS OF COPLEY AND BATH, AND THE VALLEY FIRE DISTRICT FOR THE SHARING AND EXCHANGE OF APPARATUS AND/OR EQUIPMENT BY THE FIRE DEPARTMENTS OF THE RESPECTIVE SUBDIVISIONS IN EMERGENCY SITUATIONS.

Second reading only.

ORD #68-2007

Mr. Braman offered Ord. #68-2007 for it's second reading and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE CITY OF NORTON CODIFIED ORDINANCES BY ADDING CHAPTER 856 TO ESTABLISH REGULATIONS TO MINIMIZE AND CONTROL THE NEGATIVE EFFECTS OF SKILL-BASED AMUSEMENT DEVICES WITHIN THE CITY OF NORTON.

Second reading only.

ORD #69-2007

Mr. Braman offered Ord. #69-2007 for it's second reading, and asked the Clerk to read it:

AN ORDINANCE AMENDING CHAPTERS 1250, 1258, 1274, AND 1298 OF THE NORTON CODIFIED ORDINANCES TO ALLOW SKILL-BASED AMUSEMENT ARCADES AS A CONDITIONALLY PERMITTED USE IN THE B-2 AND B-3 BUSINESS DISTRICTS.

Second reading only. Mr. Braman stated that the Public Hearing would take place at the next Council meeting on November 12, 2007.

ORD #70-2007

Mr. Jones offered Ord. #70-2007 for it's second reading, and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH OSBORN ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES FOR THE NEWPARK DRIVE ROAD RECONSTRUCTION AND STORM WATER MANAGEMENT PROJECT, TO APPROPRIATE FUNDS FOR SAID AGREEMENT AND DECLARING AN EMERGENCY.

Second reading only.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Price reminded everyone about the Flu Shot Clinic, (see attached dates and times)

Mayor Price reminded the residents about the Halloween-Trick or Treat on Saturday October 27, 2007 from 5:00 PM to 7:00 PM and encouraged all neighborhoods to follow this schedule. Mayor Price added that this date and time coincides with the City of Barberton. Mayor Price announced an opening on the Civil Service Commission, (see attached).

Mr. Ryland stated the city did meet with the Newpark Drive business owners and all of them are on board and very excited that the city is taking action to address the water issues. Mr. Ryland stated that the Revlis Corp. is the key player and we are waiting for their Board of Directors to make a decision on getting the city possession of this property. Mr. Ryland stated that the business owners have asked him to urge Council for passage on Ord. #70-2007. Mr. Ryland addressed Mr. Jones issue regarding the traffic light on Medina Line Road, and that on October 23, 2007 a notice will be posted for two (2) weeks. Mr. Ryland stated that on November 7, 2007 this light will become an active four (4) way stop light and flashing red in all four (4) directions.

Mr. Moss thanked Council for adopting Res. #71-2007 accepting the rates. Mr. Moss stated that he double-checked with the County that if any levies are passed this November, Council will not need address anything new. If the voters approve levies, the new amounts would take effect next year and appear on next year's resolution that we adopt at that time.

Mr. Pritchard stated that the city did score very well on the Issue I grant application for the waterline project on Cleveland-Massillon Road. Mr. Pritchard stated that the new playground equipment is being installed at Columbia Woods Park and should be ready for use this weekend, unless there are any unforeseen delays.

Mr. Lyons was present, and was feeling under the weather and he stated that he would follow up with a report at the next meeting.

Mr. Binic, Barberton Health District, was present and had no report to offer.

UNFINISHED BUSINESS:

Mr. Jones questioned Mr. Ryland about the Revlis property, and the timeline. Mr. Ryland stated that is why he is waiting for the Board of Directors to meet to find out how the city can obtain this parcel. Mr. Jones discussed a memo from Mr. Moss dated October 24, 2007 regarding the purchase of the service garage. Mr. Jones stated that we need to get this started in order to purchase this by the end of January 2008. Mr. Moss stated that we have asked for some EPA evaluations to be completed before we come to Council. Mr. Moss stated that we will need an ordinance very early in the year for this, and that Mr. Lyons would be working on the ordinance to authorize the purchase in the near future. Mr. Jones clarified the purchase price of \$475,000.00, and Mr. Moss stated that was correct in addition there would be some closing costs estimated at \$10,000.00.

NEW BUSINESS:

Mr. Jones questioned a Norton Post article in yesterday's edition, asking the Mayor if we have a new employee? Mr. Moss stated no new employee has been hired. Mr. Jones stated that the article states "we", all through the article.

PUBLIC SERVICE ANNOUNCEMENTS:

Mrs. Hlas reminded everyone about the Panther Parents Night at the Races, 6:00 PM, dinner served at 7:00 PM. Mrs. Hlas stated that she has been informed that the bricks for the Historical Society are \$50.00.

Mr. Pelot addressed a question raised earlier by Mr. Lemon as to how Issue #45 got onto the ballot. Mr. Pelot stated that Council, as a whole did not support this, we turned it down. Citizens went out and collected enough signatures to place it on the ballot. Mr. Pelot reminded everyone to thank our Norton Police & Fire Dept. employees because their jobs are in jeopardy, and they are not jumping ship. They have faith in the residents that they will support them and let them keep their jobs.

Mr. McGlone reminded everyone there would be no meeting on Monday, October 29, 2007, and the next meeting would be a Committee Work Session on Monday November 5, 2007.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:08 PM.

Dennis McGlone, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on November 12, 2007.

Karla Richards, CMC-Clerk of Council

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

All Council & 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.