



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
TUESDAY, OCTOBER 9, 2007**

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

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

The Regular Council Meeting convened on Tuesday, October 9, 2007 at 7:01 PM in Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, Vice-President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE:

Mr. Jones moved to add the language for Ord #70-2007 to Council's agenda, seconded by Mrs. Hlas. Mr. Jones indicated that there was a problem getting this ready in time for the agenda. Mr. Jones stated he was not sure if it was the Administration trying to get their act together, this was not received until Monday Oct. 8, 2007. Mr. Jones indicated that this places Mrs. Richards behind the ball on some of this, and it is not her fault.

Roll Call: Yeas: Jones, Hlas, Braman, Pelot
Nays: None

Motion passed 4-0.

Mr. Pelot stated that the Charter Review Commission has asked for Council to make a correction made at the podium on October 1, 2007. The comment was made that Issue #45 (SCSO-NPD) came from the Charter Review Commission. Mr. Pelot expressed that not all of the proposed Charter amendments came from the Charter Review Commission. Mr. Pelot also discussed the rules for public comment, reminding the public to address Council as a whole, and not individual members. Mr. Pelot stated that if the public chooses to single out a specific Council Member, you will be asked to sit down, or if necessary leave. Mr. Pelot asked for professional decorum and stated that public personal attacks would not be tolerated.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of September 24, 2007: Mr. Jones corrected page #3 at the beginning, Ms. Booth should be Ms. Booth. The minutes were approved as corrected.

CONSIDERATION OF THE MINUTES CONTINUED:

Minutes of the Committee Work Session of October 1, 2007: Mr. Jones discussed a correction on page #3 under the last sentence, it states election and it should state agenda. Mr. Jones questioned the last sentence on page #7 under unfinished business, and Mrs. Richards indicated that it was Mr. McGlone not Mr. Jones that moved to withdraw the previous motion and that the order of the roll call has also been corrected. The minutes were accepted as corrected.

COMMUNICATION FROM THE PUBLIC:

Mr. Jerry Van Sickle a Norton resident, spoke in favor of the Norton Police Dept. Mr. Van Sickle stated that he served in the military for four (4) years and was a city bus driver for twenty three (23) years, and served as a President of TWU Local #1, and a Kenmore business owner for ten (10) years. Mr. Van Sickle stated that he has lived in Norton for three (3) years, and has had to call on our Norton Police Dept. at least ten (10) times for various accidents, a burglary and that they responded very quickly, were calm and professional. Mr. Van Sickle commented on the recent article in the Beacon Journal regarding a missing toddler (see attached). Mr. Van Sickle urged the citizens to come to the podium and say something nice and positive about the Norton Police Dept., the Mayor, and Council members. Mr. Van Sickle commented on all of the negative comments being made at Council meetings. There is no reason to come here and publicly say terrible things about the Mayor, accuse the Police Dept. of stealing and lying, and accuse Council of sitting on their rear ends and doing nothing. Mr. Van Sickle stated that he would like the community to come together and support our Police and Fire Dept. Mr. Van Sickle stated that Council should work together on our money issues, and get on with our lives. Mr. Van Sickle urged residents to vote no on Issue #45 and yes on Issue #38.

Ms. Megan Booth, a Norton resident, stated that she has been a resident of Norton for seven (7) years, and Norton is a great place to live, and mostly agreed with Mr. Van Sickle's comments. Ms. Booth stated that she appreciates the hard work that Council is doing, she may not agree with everything they are doing; however they were elected into office and she appreciates the time and effort they are putting in. Ms. Booth stated that she appreciates the time Mr. Ryland has given to her when she has asked questions, and that the staff is doing a very good job. Ms. Booth stated that she has never stated anything negative about the Police Dept., all she is saying is there are business decisions that need to be looked at. If we can cut costs without changing she endorses that as well. Ms. Booth stated that she only wants the citizens to make informed decisions, and will not stand here and tell the citizens how to vote. The citizens need to make decisions based on their lives and what they feel is most important to them. They need to read everything they can and ask questions and make the best choices that affect their lives.

Mr. Dan Karant, a Norton resident and business owner, commented about the city and how to have a positive outlook, (see attached).

Mr. Dave Koontz, a Norton resident, stated that he supports the Norton Fire/EMS and Police issues. Mr. Koontz stated that both departments provide excellent 24/7 protection for the community. Mr. Koontz urged the residents to support the Fire/EMS Issue #38 in order to have a new building to replace the fifty (50) year old building, and to update the life saving equipment and continue to provide services.

COMMUNICATION FROM THE PUBLIC:

Mr. Koontz discussed the issues with the Norton Police Dept. and stated their history and familiarity with our community, which is invaluable. We should not out-source this vital service. Mr. Koontz stated that this department spent \$1,900,600.00 in 2006, so it would be impossible to save \$1,000,000.00 without drastic cuts in the level of service and protection they provide.

Mr. Jim Lino, a Norton resident, discussed Ord #66-2007, adding that this seemed a little confusing with some of the whereas clauses. Mr. Lino questioned if this is to allow for another cable company to come into Norton? Mr. Lino discussed the fact that he has had some problems with Time Warner Cable in the past and that if other residents felt the same way maybe they would switch carriers. Mr. Lino discussed the games of skill legislation and that he has one of these businesses in his neighborhood, and that he does not have a problem with them. Mr. Lino stated that maybe we should not have so much free reign with the fees we collect, adding that we should have more common ground with the rates.

Mr. George Tomko, a Norton resident, commented about a statement he made previously regarding the new medical facility building. Mr. Tomko stated that he talked with the builder yesterday about their facility. Mr. Tomko stated that he assumed they were using solar panels and they are not. The only "green" thing that they do have is the geo-thermal heating. Mr. Tomko stated that he felt it was a bad idea not to use solar panels for their building. Mr. Tomko stated that it's a beautiful building and the only complaint the builder had was regarding the requirement of the retention pond since the church right across the street is not required to have one. Mr. Tomko discussed the instructions about the rules for public comment, and that it's just another case of taking away our freedom. Mr. Tomko discussed the error made recently with the advertising for the Charter amendments. Mr. Tomko stated that whether it was Council or one person responsible, they should have to pay for those extra charges.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

ORD #66-2007

Mrs. Hlas offered Ord. #66-2007 for it's first 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 suspend the second and third readings, seconded by Mr. Braman. Mrs. Hlas indicated that the State of Ohio passed legislation and that the maximum amount collected is 5%. Mrs. Hlas stated that if any other video provider wants to come into the city, we only have ten (10) days to inform them of our required fees, and this gives the Mayor the authority to do so.

ORD #66-2007 CONTINUED:

Mrs. Hlas stated that we are getting approximately \$60,000.00 to \$65,000.00 annually and this money goes into the Parks fund, which is what is paying for the new playground equipment and baseball fields.

Roll Call: Yeas: Hlas, Braman, Jones, Pelot
Nays: None

Mr. Lyons indicated that the Charter requires a vote of 5 yeas in order to suspend readings, therefore Mrs. Hlas and Mr. Braman withdrew their motions. Ord. #66-2007 stands as a first reading only.

ORD #67-2007

Mr. Jones offered Ord. #67-2007 for it's first 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.

First reading only.

ORD #68-2007

Mr. Braman offered Ord. #68-2007 for it's first 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.

First reading only.

ORD #69-2007

Mr. Braman offered Ord. #69-2007 for it's first 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.

First reading only.

ORD #70-2007

Mr. Jones offered Ord. #70-2007 for it's first 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.

First reading only.

INTRODUCTION OF PRIOR LEGISLATION:

RES #63-2007

Mrs. Hlas offered Res. #63-2007 for it's third reading, and asked the Clerk to read it:

A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY.

Mrs. Hlas moved to adopt Res. #63-2007, seconded by Mr. Braman.

Roll Call: Yeas: Hlas, Braman, Jones, Pelot
Nays: None

Motion passed 4-0.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Ryland stated that he responded to a resident's complaint to the Mayor regarding Norton Police officers installing political signs while on duty, in uniform, and with city vehicles. Mr. Ryland stated that he immediately investigated this with Lt. Hete. Mr. Ryland stated that Lt. Hete provided him with a list of officers who were installing the signs, none of these officers were on the clock or in uniform at the time. Mr. Ryland stated that the District 8-Public Works Committee has scored our Cleveland-Massillon Road waterline project. We received 104 points and anything over 100 points generally would receive the grant money requested.

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).

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS CONTINUED:

Mr. Moss announced the Independent Public Auditor (IPA) process and that the State of Ohio has begun the selection process for the city for 2007 and thereafter. Mr. Moss stated that upon the selection the city would enter into a three (3) year contract subject to annual extensions. Mr. Moss stated that on October 18, 2007 at 9:00 AM there would be a meeting in the Boardroom at the Community Center to discuss the city's requirements prior to submitting for proposals. Mr. Moss suggested that if anyone is interested in attending, to contact him in advance.

Ms. Ryan discussed the skilled-based legislation and noted a few minor typographical errors to Ord #68-2007 and Ord. #69-2007. Ms. Ryan stated that most were noticed in the formatting process and there was one error on page #3 of Ord. #68-2007. Ms. Ryan stated that there are some establishments in Norton that are open until 2:30 AM and suggested we change this from 1:00 AM to 2:30 AM in order to be consistent.

Interim Fire Chief Mike Schultz commented on many misconceptions going around regarding the Issue #38. Chief Schultz stated that it has been stated that the full-time and part-time firefighter contracts were open-ended contracts and that they are just waiting for the levy to pass to collect. Chief Schultz stated that this is not correct. In 2006 the full-time froze their contract and received no pay increase at all. In 2007 they reached an agreement with the city for a 3% pay increase for 2008 and 2009. Without the levy passing the budget will not support this and we will be back at the table to renegotiate this. Chief Schultz stated that the part-time settled their contract in 2007, receiving a 2% increase for 2007 and zero increases for 2008 and 2009, with a contract re-opener under Ohio Revised Code. Chief Schultz stated that both unions have bent over backwards in order to make this work. Chief Schultz discussed comments that the levy is only going to generate half of what it should, and that the thirty (30) percent set aside is still not enough for the new building, etc. Chief Schultz stated that also is untrue. If passed, the levy would generate approximately \$820,000.00 per year and the 30 percent goes to into capital improvements. Chief Schultz stated that we already have a twenty (20) year plan to rebuild Station #1, replace equipment that is already aging and some vehicles are more than twenty five (25) years old. Chief Schultz stated that with equipment of that age we cannot even get an ISO rating. Chief Schultz stated that updated training would ensure the citizens have the most top rated and trained staff.

UNFINISHED BUSINESS:

Mr. Jones commented Ord. #70-2007 and questioned the figures and why does it reflect a total of \$98,350.00. Mr. Moss stated that was incorrect, we already have \$10,000.00 in that account, we are only adding \$88,350.00, which is a total balance of \$98,350.00. Mr. Jones asked what account this is from, and Mr. Moss stated that this account is Building Repairs, which is a capital expense under the General Government category. Mr. Jones stated that Mr. Tomko has repeatedly asked for the English Language to be addressed, and placed this on the Matters Referred list.

NEW BUSINESS:

None

PUBLIC SERVICE ANNOUNCEMENTS:

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 dinner has been postponed 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.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:46 PM

Scott Pelot, Vice-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 October 22, 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.

