



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, DECEMBER 10, 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-Excused

The Regular Council Meeting convened on Monday, December 10, 2007 at 7:02 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. Jones moved to amend Ord #84-2007 to clarify language in the third Whereas clause, adding the Land Improvement Fund to the language as well as a couple of 's', seconded by Mr. Pelot.

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

Motion passed 7-0.

Mr. Jones moved to amend the agenda in order to add Ordinances #85-2007, #86-2007, #87-2007 and #88-2007. Mr. Jones stated that this was not addressed at the last Committee Work Session, seconded by Mrs. Hlas.

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

Motion passed 7-0.

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council Meeting of November 26, 2007 were approved as written. Minutes of the Committee Work Session of December 3, 2007-Mr. Jones noted a correction on page #6 under the Road Program, seventh (7th) line down it should be St. Rt. 261 not St. Rt. 21. Mr. Jones also noted a correction on page #7 under the Johnson Meadows discussion, at the end of the eighth (8th) line. This should read 'Mr. Ryland stated that he would agree with that'. The minutes were approved as corrected.

COMMUNICATION FROM THE PUBLIC:

Mrs. Elaine Tompkins, a Norton resident, spoke regarding the official election results regarding a discrepancy in the total number of registered voters and the number of votes cast. Mrs. Tompkins stated that all four wards received more votes than the registered number of voters. Mrs. Tompkins stated that Norton has approximately 8,100 registered voters, however the number of ballots cast was 8,700. Mrs. Tompkins stated that she discovered this error yesterday and spoke with the Board of Elections and they have indicated their technology department is looking into this issue and would be contacting their voting machine vendor. Mrs. Tompkins urged Council to request a re-certification of the ballot numbers.

Ms. Violet Carr, a Norton resident, spoke mostly to the resident's viewing Channel #15. Ms. Carr stated that she has heard rumors which seem to be correct, to remove a person from Council who actually watches over the city and is not a rubber stamp for the rest of Council. Ms. Carr stated that she has not always agreed with this Councilperson, and the last thing that has caused the attempt for removal was his work on the Police Department issue. Ms. Carr stated that her grandson is a policeman and anyone that thinks she was against our Police Dept. would be wrong. Ms. Carr discussed the term "habeas corpus" where there is information given pro and con in any trial. The people of Norton had a choice and a right by our Constitution to have the facts given to them pro and con. Ms. Carr stated that the Council members almost unanimously decided to deny the residents their right. Ms. Carr asked those of you who were opposed to putting this on the ballot, what were you thinking of? You're own interests? You are censoring the people of Norton. Ms. Carr discussed the other Charter amendments that were brought out, and who all stood up and said "read my lips-vote them all down but one". Is this a democratic process? Ms. Carr stated that it reminds her of Iraq and Germany where people are told what to do. We have rights and if the residents want to continue to have checks and balance she suggested we keep the one we have. Ms. Carr stated that she understands how this city works, and she feels as if she has a bull's eye on her. She has been told by the media that her best protection is to go public as often as she can. One of the Council members has told her that she is in over her head and that she has this statement on videotape and it is considered a threat by the law. This town needs checks and balances, not a rubber stamp.

Ms. Brenda Anderson, a Norton resident, stated that almost five (5) years ago she learned that hope is not a plan and that apathy is not a virtue. Ms. Anderson stated that her being guilty of this mindset has let the City of Norton chain her neighborhood to economic loss of home, loss of neighborhood friendship, and pursuit of happiness. This lesson illuminates a quote by Ralph Waldo Emerson; "Be a door opener". Ms. Anderson stated that the voters of Norton were given the privilege to vote on these issues, that door had remained closed for many years. The majority won and the right to vote on all issues, popular or not, remains. This is the real issue before us. Ms. Anderson asked all Council members to please look at the entire picture, are you expressing an opinion that is opening the door to returned censorship for your own personal vendetta. Our city must move forward and meet the challenges or we will wither. Beware of lollypop mediocrity, lick it once and you are stuck forever.

COMMUNICATION FROM THE PUBLIC continued:

Ms. Anderson quoted Kenneth Galbreth by stating “A Politician thinks of the next election, a Statesmen thinks about the next generation”. It is obvious that Ward One Councilman is a true Statesman.

Mr. Don Weigand, a Norton resident, thanked Mayor Price for being the past Mayor and appreciated his time in the city. Mr. Weigand stated that the two (2) previous speakers echoed how he felt. He wanted to listen and hear both sides of the issues and felt like he was being censored, and still does. Mr. Weigand stated that now that the votes have occurred, we all learned a lesson and we need to put this issue to bed. Mr. Weigand stated that he has lived in Norton since 1977-1978 and this police issue was raised many times but never got as far as it did this time. Mr. Weigand suggested Council do something to help the service forces grow including a twenty-four (24) hour dispatching service because that is where the money is and the most threat to the union employees. If we could make that more efficient and generate some funds, this would be a benefit to the City. Mr. Weigand stated the biggest factor with these issues was that everyone got out to vote on it. Mr. Weigand discussed the income tax situation, and it is not fair to the State or Norton. Mr. Weigand suggested Council work on a solution for Norton to get back part of the taxes where residents work. Mr. Weigand stated that there needs to be a solution at the State level and he understood that Ohio is the only state in the nation that is like this. Mr. Weigand encouraged Council to work at the grass roots level with the State and get something done about this.

Mr. Charlie Lemon, a Norton resident, thanked whoever decorated the park at the Town Square; they did a nice job. Mr. Lemon stated that he listened to some of these comments tonight about rubber stamps. Mr. Lemon stated that he did not believe that anyone sits up there with rubber stamps. Mr. Lemon stated that when he was on Council there were no rubber stamps then, everyone had their say in each ordinance, so that is not true. Mr. Lemon stated that he wanted to go back to 1992 when a young man on this Council came on the same time that he did. Mr. Lemon stated that Mr. Crawford and his gang as he called them, spearheaded two (2) recalls, spearheaded the removal of our Chief of Police, which cost this city hundreds of thousands of dollars. Through the investigation center he beat this City for \$800,000.00. This same man sitting on Council today also spearheaded to get rid of Chief Walters and not only to get rid of the Chief, but the whole police force. Mr. Lemon stated that each and every time a special election had to be put on the ballot and that costs money and it takes time. Mr. Lemon stated, folks I will say to you what Al Gore said when he realized this whole county was being held up by the Supreme Court, “it’s time to get up on this horse and ride out”. Mr. Lemon stated that he is saying the same thing, and that he would not be here tonight except for seeing an article in the paper. Mr. Lemon stated that this is still the United States of America and you do have freedom of speech except for yelling fire in a theater when there isn’t a fire. What words are you talking about here? Mr. Lemon quoted the newspaper article “During the November 26, 2007 Councilman Tom Jones D-Ward 1 responded to comments made about him at the November 12, 2007 Council Meeting. Jones responded to comments made by resident Kathy Cunningham at the November 12, 2007 Council meeting and made it clear he is not going anywhere” I don’t have a problem with that. Mr. Lemon further quoted the article “ I would like to state how offended I am” Mr. Jones said at the November 26, 2007 Council meeting. “I suggest that in the future, Ms. Cunningham choose her words more carefully”.

COMMUNICATION FROM THE PUBLIC continued:

Mr. Lemon stated that he has a problem with that. Mr. Lemon stated that each and every citizen in this town, in this country and in this State has a right to speak; to speak from their mind and from their heart, whether it's about me, the Mayor, about you, and that guy from the Herald over there, as long as they do not lie or defame. I don't see where anybody lied or defamed you. She made a statement, a comment. Basically, it's like I said it's time for him to move on down the road. He has cost this city thousands upon thousands upon thousands and hundreds of thousands of dollars. Why I don't know, it seems like every time we turn around somebody is recalling somebody or removing somebody. Why don't we try and bring somebody into this town. I think Council votes down businesses so they don't come into this town. My doctor was going to build right in this town and they gave him such a hard time he went to Barberton. Mr. Lemon stated that he does not believe in recalls, he has stated this all along. Mr. Lemon stated that he makes exception this time, it's just gone too far for too long. It's time Mr. Jones for you to get on that horse and ride out of town.

Mr. Robert Copen, Norton Fireman's Association, spoke regarding his disagreement with the Attorney General's accounting for what has been donated to the City of Norton Fire Department. Mr. Copen supplied a short list of the expenses for this year, which totaled \$149,603.75 (see attached). Mr. Copen discussed the Administration's twenty (20) year plan for the Fire Department, which he felt would be \$100,000.00 short in 2007 and since we will not collect any revenue from this levy until 2009 we will be short another \$100,000.00 for 2009. This will put the City \$200,000.00 in the hole starting out. Mr. Copen stated that tomorrow he would be signing a contract for the purchase of a new squad vehicle for \$142,874.58, and was unsure of the delivery date.

Mr. George Tomko, a Norton resident, spoke regarding history being made every year. Mr. Tomko urged the current Council and the Mayor to purchase a brick from the Historical Society for the brick walkway to their building. Mr. Tomko stated the cost is \$50.00 for two (2) lines or \$60.00 for three (3) lines. Mr. Tomko discussed the recycle bins for \$1200.00 and inquired if they have been delivered yet? Mr. Tomko discussed Mr. Weigand's comments about being censored and referenced the newspapers doing it today. Mr. Tomko urged Council to begin working on the tax credit issue, and if they are not going to do that they should hire someone to secure grants for the City.

Ms. Gayle Brenner, a Norton resident, read the following statement. At last week's Council meeting she asked Mr. Tom Jones to resign. At the conclusion of that meeting, Mr. Tom Jones approached her while shaking his finger at her and stated "You better choose your words wisely". These are the same threatening words you said to another resident a week before during the November 26, 2007 Council meeting, because she had also asked you to resign at a previous Council meeting on November 12, 2007. Your threat was also printed in the West Side Leader and the again in the December 6, 2007 edition of the Barberton Herald. Your actions are uncalled for and unprofessional as a representative of the City of Norton. Schools and businesses including government offices have a zero tolerance rule for threatening or violent acts against fellow employees and the public they serve. I am a life long resident, taxpayer and registered voter as many in this city are.

COMMUNICATION FROM THE PUBLIC continued:

Ms. Brenner stated that her tax dollars as well as tax dollars of other residents and business owners in this city are paying for you to be on Council to serve us and speak for us. Ms. Brenner stated that therefore, I guess you could say we are your bosses. Is that how bosses are to be treated? I don't think so. So once again, I am asking Tom Jones to resign from his seat. And to the rest of Council, I would like to know how many more residents is this councilman going to be allowed to threaten before you take action? I feel two residents being threatened is enough.

Ms. Alice Wagner, a Norton resident, stated that she has not been here for a while because she cannot handle the bickering back and forth. Issue #45 was passed and the residents now have to go for an eye for an eye. It's over let it go. Don't you get sick and tired of seeing this in the Barberton Herald every week? Ms. Wagner stated that when people ask her if she lives in Norton, she replies no—I live in Barberton because she is embarrassed to say she lives in Norton.

Ms. Charlotte Whipkey, a Norton resident, spoke regarding Issue #39-Mayor qualifications and that only one (1) Councilperson voted against this when it was in front of them. This issue passed by 84.65 percent at the polls. Ms. Whipkey discussed Issue #43-Mayor's compensation, and that two (2) Councilpersons voted against this which were Ward 1 and Ward 4, Ward 3 abstained and the rest passed it. When it went to the polls 75.97 of the voters said no to the raise. We had two (2) Councilpersons who voted no to send it to the ballot, even after this was certified by the Board of Elections. Ms. Whipkey discussed Issue #44 Council compensation and that the same two (2) Council At Large voted against even sending this to the ballot and it passed by 73.96 percent. Ms. Whipkey discussed Issue #46 Disqualification of Service, which was killed at a Work Session and voted down by everyone, except Ward 1 and Ward 4 Councilpersons. This passed at the polls by 77.91 percent. The people speak, some of you listen and many do not. There are a lot of people who were passionate about Issue #45. Ms. Whipkey stated that in her opinion some of you are being manipulated now into voting or speaking out against a certain Councilperson. Ms. Whipkey stated that she believed he was doing what he felt was correct, and that she has heard vendetta, vendetta, vendetta. What do you call this but a vendetta, members calling for a Councilperson to step down? Ms. Whipkey stated that she did not expect all seven (7) to always say yes, and welcomes different opinions, which leaves things open for discussions. We do not need to have someone removed because they did something that they believed in.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

ORD #79-2007

Mr. Pelot offered Ord. #79-2007 for it's first reading and asked the Clerk to read it:

AN ORDINANCE TO GIVE THE CITY OF NORTON'S CONSENT TO THE OHIO DIRECTOR OF TRANSPORTATION TO COMPLETE A ROAD REPAIR PROJECT, PID NO. 76387, WITHIN THE MUNICIPAL CORPORATION LIMITS, AND DECLARING AN EMERGENCY.

ORD # 79-2007 Continued:

Mr. Pelot moved to waive the second and third readings, seconded by Mr. Jones.

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

Motion passed 7-0.

Mr. Pelot moved to adopt Ord. #79-2007, seconded by Mr. Jones. Mr. Pelot stated that this ordinance gives the Ohio Dept. of Transportation the authorization to make road repairs throughout the City.

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

Motion passed 7-0.

ORD #80-2007

Mr. Pelot offered Ord #80-2007 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO GIVE THE CITY OF NORTON'S CONSENT TO THE OHIO DIRECTOR OF TRANSPORTATION TO COMPLETE A ROAD REPAIR PROJECT, PID NO. 77482, WITHIN THE MUNICIPAL CORPORATION LIMITS, AND DECLARING AN EMERGENCY.

Mr. Pelot moved to waive the second and third readings, seconded by Mr. Jones.

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

Motion passed 7-0.

Mr. Pelot moved to adopt Ord. #80-2007, seconded by Mr. Jones. Mr. Pelot stated that this is the same as the previous ordinance, however this one relates to repairs to St. Rt. 21, St. Rt. 224 and I-76. Mr. Pelot clarified that there is no cost to the City for these repairs.

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

Motion passed 7-0.

ORD #81-2007

Mr. Jones offered Ord. #81-2007 for it's first reading, and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE THE RENEWAL OF A CONTRACT WITH PAN AMERICAN FOR EMPLOYEE HEALTH, DENTAL, VISION AND RELATED BENEFITS FOR THE PLAN YEAR JANUARY 1, 2008 THROUGH DECEMBER 31, 2008, AND DECLARING AN EMERGENCY.

Mr. Jones moved to waive the second and third readings, seconded by Mrs. Hlas.

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

Motion passed 7-0.

Mr. Jones moved to adopt Ord. #81-2007, seconded by Mrs. Hlas.

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

Motion passed 6-1.

ORD #82-2007

Mr. Jones offered Ord. #82-2007 for it's first reading, and asked the Clerk to read it:

THE ANNUAL APPROPRIATION ORDINANCE FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2008.

Mr. Moss explained that the attachment to Ord #82-2007 has been revised because of two errors. The first error completely omitted the Building Department, and the other error was the in the total for the Police Dept. Mr. Jones moved to amend Ord. #82-2007 to include the corrections for Exhibit A, seconded by Mrs. Hlas.

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

Motion passed 7-0.

Mr. Jones moved to waive the second and third readings, seconded by Mrs. Hlas. Mr. Jones clarified the corrected number for the Police Dept. for 2008 as being \$183,945.00, and Mr. Moss concurred that this was the number that was corrected. Mr. Jones stated that the total 2008 Budget for the Police Dept. is \$2,127,029.06 and Mr. Moss concurred that this is correct.

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

ORD #82-2007 Continued:

Motion passed 6-1.

Mr. Jones moved to adopt Amended Ord. #82-2007, seconded by Mrs. Hlas.

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

Motion passed 6-1.

ORD #83-2007

Mr. Jones offered Ord. #83-2007 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE APPROPRIATIONS AND REVENUES FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2007.

Mr. Jones moved to waive the second and third readings, seconded by Mrs. Hlas.

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

Motion passed 7-0.

Mr. Jones moved to adopt Ord. #83-2007, seconded by Mrs. Hlas.

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

Motion passed 6-1.

AMENDED

ORD #84-2007

Mr. Jones offered Amended Ord. #84-2007 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO AUTHORIZE ADVANCES FROM THE GENERAL FUND INTO VARIOUS FUNDS.

Mr. Jones moved to waive the second and third readings, seconded by Mrs. Hlas.

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

Motion passed 7-0.

Amended Ord. #84-2007 Continued:

Mr. Jones moved to adopt Amended Ord. #84-2007, seconded by Mrs. Hlas.

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

Motion passed 7-0.

ORD #85-2007

Mr. Jones offered Ord. #85-2007 for it's second reading, and asked the Clerk to read it:

AN ORDINANCE TO CREATE NEW FUNDS TO PROPERLY ACCOUNT FOR MONEYS TO BE RECEIVED FOR LAW ENFORCEMENT ASSISTANCE AND CERTAIN CAPITAL IMPROVEMENT PROJECTS.

Mr. Jones moved to waive the second and third readings, seconded by Mrs. Hlas. Mr. Jones asked Mr. Moss about Fund #114 being a new fund, and Mr. Moss indicated this was correct, and that Funds #503 and #504 were also new.

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

Motion passed 7-0.

Mr. Jones moved to adopt Ord. #85-2007, seconded by Mrs. Hlas.

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

Motion passed 7-0.

ORD #86-2007

Mr. Jones offered Ord. #86-2007 for it's first reading, and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$560,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS AND THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO PAY THE COST OF CONSTRUCTING, GRADING, CURBING AND PAVING MEADOWS LANE IN THE CITY AND CONSTRUCTING SANITARY SEWERS, WATER LINES, HYDRANTS, STORM SEWERS, UTILITIES AND ALL OTHER NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mr. Jones moved to waive the second and third readings, second by Mrs. Hlas. Mr. Moss stated that there is an issue in the language of these notes, which may appear extreme. Mr. Moss stated that the legal method of creating a note in anticipation of bonds anticipates that someday you will have a bond. Bonds can be assessed which means to place this on the taxes.

ORD #86-2007 Continued:

Mr. Moss stated that this plan is not to assess anybody for the bonds except for the property owner at the Johnson Meadows project. Mr. Moss stated that the other two notes are being paid from General Fund revenues. Mr. Moss stated that the language is in there, however the plan is to not assess any of these. In fact Council has already approved the Budget which aggressively will be paying these down and gets them off of our books. Mr. Jones stated that he tried to read through the legislation, and that you almost need to be an attorney to understand it.

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

Motion passed 7-0.

Mr. Jones moved to adopt Ord. #86-2007, seconded by Mrs. Hlas.

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

Motion passed 5-1-1.

ORD#87-2007

Mr. Jones offered Ord. #87-2007 for it's first reading, and asked the Clerk to read it.

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$136,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS AND THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO PAY THE COST OF THE CONSTRUCTION OF BALL FIELDS AND ALL OTHER NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mr. Jones moved to waive the second and third readings, seconded by Mrs. Hlas.

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

Motion passed 7-0.

Mr. Jones moved to adopt Ord. #87-2007, seconded by Mrs. Hlas.

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

Motion passed 7-0.

ORD #88-2007

Mr. Jones offered Ord. #88-2007 for its first reading, and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$75,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS AND THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO PAY THE COST OF EQUIPMENT AND ALL OTHER NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mr. Jones moved to waive the second and third readings, seconded by Mrs. Hlas.

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

Motion passed 7-0.

Mr. Jones moved to adopt Ord. #88-2007, seconded by Mrs. Hlas.

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

Motion passed 7-0.

INTRODUCTION OF PRIOR LEGISLATION:

ORD #78-2007

Mr. Jones offered Ord. #78-2007 for it's second reading, and asked the Clerk to read it:

AN ORDINANCE TO CREATE A NEW FUND TO RECEIVE 30% OF THE PROCEEDS FROM THE NORTON FIRE AND EMS LEVY FOR CAPITAL IMPROVEMENTS AS APPROVED ON NOVEMBER 6, 2007.

Mr. Jones moved to waive the third reading, seconded by Mrs. Hlas. Mr. Moss stated that this is a new fund dedicated for receiving revenue and is saved specifically for capital improvements only. Mr. Moss discussed the future purchase of equipment by the Norton Fireman's Association, and that the early expense would use up the dollars faster than they come in and this donation would help. Mr. Moss stated that in the future we might need to borrow money against future revenues because the plan is at a steady level income and over the twenty (20) years. Mr. Moss stated that early on if you want to purchase expensive equipment it doesn't quite work.

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

Motion passed 7-0.

ORD # 78-2007 Continued:

Mr. Jones moved to adopt Ord. #78-2007, seconded by Mrs. Hlas.

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

Motion passed 7-0.

ORD #75-2007

Mr. Zita offered Ord. #75-2007 for it's third reading, and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING AND DIRECTING THE ADMINISTRATIVE OFFICER AND/OR MAYOR TO TAKE ANY AND ALL NECESSARY STEPS TO EFFECTUATE THE PURCHASE OF THE PREMISES AT 3355 DOROTHY COURT, PPN #4608128 AS PROVIDED IN THE LEASE OF SAID PROPERTY DATED FEBRUARY 1, 2003.

Mr. Zita moved to adopt Ord. #75-2007, seconded by Mr. Jones. Mr. Jones stated that this is something that has been in the works for nearly five (5) years and is something that the guys really need and he is all in favor of this. Mr. Pelot questioned if there was any more follow up relating to the closing of this arrangement, and Mr. Moss replied that he has not heard anything more regarding this.

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

Motion passed 7-0.

ORD #76-2007

Mr. Jones offered Ord. #76-2007 for it's third reading, and asked the Clerk to read it:

AN ORDINANCE TO AMEND THE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2007.

Mr. Jones moved to adopt Ord. #76-2007, seconded by Mrs. Hlas. Mr. Jones stated that this is also relates to the purchase of the Service Garage. Mr. Jones stated that we are looking at \$475,000.00 plus \$10,000.00 for closing costs and Mr. Moss concurred.

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

Motion passed 7-0.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mayor Price stated that this is his last meeting as Mayor, and that this has been a very rough year for him. Mayor Price stated that there have been a lot of important issues on the ballot with the Fire/EMS, Police, etc. Mayor Price stated that he felt Norton has a very bright future with the current Administration, Council and new Mayor elect. Mayor Price stated that he was listening to all of the comments and asked himself after the eight (8) years he has served, what would he miss? Mayor Price stated that he would miss the residents, the open discussion, and the compassion, and you don't get this everywhere. Mayor Price stated that he is proud to be a Norton resident, the residents are passionate, educated and smart. Mayor Price thanked Council, the residents for their support during his hard times; it meant a lot to him and to his family. Mayor Price stated that he appreciated the support and that it was a privilege to serve as Mayor.

Mr. Ryland congratulated the Mayor and thanked him for placing him in this position. Mr. Ryland indicated that in the last six (6) months he has gone from a man he did not even know to someone that he now considers a friend. Mr. Ryland stated that it has been a privilege and an honor to work with him. Mr. Ryland stated that he would be meeting tomorrow evening with the Johnson Meadows group and thanked Mr. Zita for his help with the arrangements. Mr. Ryland stated that the effort is to get this project back on track to where it needs to be or get some type of time line or if the project will go forward. Mr. Ryland announced that we collected \$32,000.00 in special assessments for lawn mowing and cleaning up properties throughout the city. Mr. Ryland stated that along this line and with Council's approval we would be using this money to improve the equipment we use for mowing the lawns and fields that Mrs. Hlas had inquired about. Mr. Ryland thanked his wife for marrying him thirteen (13) years ago, Happy Anniversary.

Mrs. Hlas stated that we were approved for the Cleveland-Massillon Road widening project, and the majority was grant money and inquired as to the amount of this? Mr. Pritchard stated that we are on the capital improvement list and most of the work on this is fairly old. We are looking into having new safety studies completed, and he was unsure of the exact amount but felt it was somewhere around \$6,000,000.00. Mr. Ryland stated that the engineered projection is slightly over \$6,000,000.00 for the widening from I-76 to the end of town. Mr. Ryland stated that if everything gets funded for the project the out of pocket expense for the City would be close to \$500,000.00. Mrs. Hlas made the point that the City is going after grant money on this and other projects. Mr. Pelot asked about the time line for this and Mr. Ryland replied 2012. Mr. Jones asked for clarification on the exact section to be widened and Mr. Ryland stated that Phase I would be from the interchange at I-76 to the intersection at Greenwich Road. There is an additional project-Phase II that they are looking at that would take it from Greenwich Road south to Shannon Avenue. Mr. Jones stated that he brought this up when he was on AMATS back in 1988. It was originally to be taken all the way to Shannon and that hopefully Barberton would then take it all the way to Johnson's Corners. Mr. Ryland stated that the reason we did not ask for it to go to Shannon on Phase I is because we wanted Barberton to get involved and do Phase II all the way to Johnson's Corner. Mr. Jones asked if this includes water, sewer and sidewalks? Mr. Ryland replied that the waterlines would be ahead of this as a separate project that should take place sometime next year.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS continued:

Mr. Ryland stated that sewer lines are partially in place and we are looking at our options for running sewer lines. Mr. Pritchard, Mr. Lyons, and Mr. Binic (Barberton Health District) were present, however they had no report.

UNFINISHED BUSINESS:

Mr. Jones discussed the recent comments made by some residents in the last few weeks. Mr. Jones stated that he personally has never, never threatened anybody on this Council running for re-election or anybody out there in the audience. Mr. Jones stated that he felt he gets along with people, maybe some people feel he did something wrong by going after money from our Police Dept. Mr. Jones stated that he gave it to the people to make a decision, and they made a decision to keep the Police Dept. rather than going with the Summit County Sheriff. Mr. Jones stated that with that in mind he feels that he did justice for the community and the people voted for the Police Department.

NEW BUSINESS:

None

PUBLIC SERVICE ANNOUNCEMENTS:

Mr. Zita reminded everyone that tickets for Shop with a Cop are still available, if anyone is interested they could contact Patrolman Steve Davis at the Norton Police Dept.

Mrs. Brenda Hlas, Council at Large, stated that on December 3, 2007 she witnessed an elected official's misconduct, this was totally uncalled for. Mrs. Hlas took a quote from Mr. Jones "In today's society of inferring the possibility of a threat is inexcusable". Mrs. Hlas stated that a resident came and spoke at a meeting, and after the meeting Mr. Jones, Ward 1 Councilman, said to the resident while shaking his finger at her in front of me said "You better choose your words wisely". Mrs. Hlas stated that the resident immediately filed a police report because she took it as a threat. Mrs. Hlas stated that on November 19, 2007 a resident came and spoke at one of our meetings. On November 26, 2007 Mr. Jones said to her that he was offended by her remarks and would not tolerate it, he also went on to state to her that in the future she "should choose her words carefully". On December 11, 2006 at a Council meeting Mr. Jones stated that he did not have a personal vendetta against the Police Dept., that it was personal between him and the Chief. On May 29, 2007 he denied saying that. On March 20, 2006 Mr. Jones told the Council-At-Large members and the Mayor that were up for re-election that if they passed the maintenance code he would help make sure they don't get re-elected. Mrs. Hlas stated that as public officials we are held to a higher standard and we must conduct ourselves accordingly. We are representatives of our community and our party affiliates. We should not be guilty of any misconduct. Mrs. Hlas reminded all Council members of Charter Section 9.04, which states "if a person is guilty of gross misconduct, that is grounds for removal". In closing, Mrs. Hlas wished everyone a Merry Christmas and a Happy New Year.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 8:21 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 January 14, 2008.

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.